

THE LAW SOCIETY OF UPPER CANADA

# 2016

## ANNUAL REPORT

The Law Society's online annual report details our performance for 2016—with messages, charts, other updates and financial statements—and lays out our plan of action based on our 2015-19 strategic priorities.



The Law Society  
of Upper Canada

Barreau du  
Haut-Canada

## THE LAW SOCIETY OF UPPER CANADA



### TREASURER

Read about how we protected the public interest, supported the professional competence of our members and facilitated access to justice.



### CEO

Learn more about the work the Law Society did to conclude initiatives from the previous benchers term, and how we're working with Convocation to focus on the future.



### STRATEGIC PLAN

The Law Society has set the priorities and key supporting initiatives on which we are focusing for the balance of the benchers term.



### KEY TRENDS

Explore statistics detailing the Law Society's regulatory and licensing activities.



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# Treasurer's Message

It is my privilege to present the Law Society's 2016 Annual Report. You will find reflected here the real progress we have made in supporting the five strategic priorities for the 2015-2019 term, established by Convocation, our governing board.

Those priorities are: to lead as a professional regulator; to engage stakeholders and the public with responsive communications; to increase organizational effectiveness; to enhance professional competence; and to increase access to justice across Ontario. You will find highlights below, and more details in the Annual Report itself as well as on [our website](#).



**Paul B. Schabas,**  
*Treasurer*

## Leading as a professional regulator

### CHALLENGES FACED BY RACIALIZED LICENSEES WORKING GROUP

The Law Society is committed to leading change to ensure that the professions are diverse, inclusive, and forward thinking. A major step towards creating this change was taken in December, when Convocation approved the [Final Report by the Challenges Faced by Racialized Licensees Working Group](#). The culmination of thorough study and province-wide consultation, this report contains a set of robust recommendations designed to address issues of systemic racism in the legal professions.

## MENTAL HEALTH STRATEGY

A long-term [Mental Health Strategy](#) was approved by Convocation in April 2016. We want to improve access to appropriate resources for lawyers and paralegals and their families who are facing mental illness and addiction issues. The strategy also suggests we examine how mental illness and addiction issues are most appropriately addressed in our regulatory context. Convocation's Mental Health Strategy Implementation Task Force is monitoring the roll out of the various components of the strategy.

## ADVERTISING AND FEES ARRANGEMENTS ISSUES

Licensees' advertising and fee arrangements have been the subject of review and analysis by a [Working Group](#) of the Professional Regulation Committee created in 2016. The review included a series of focus groups with practitioners and stakeholders and consultation with the public and the professions. Early in 2017, Convocation moved to limit referral fees and strengthen advertising rules. The Working Group continues to consider related issues such as contingency fees and advertising and fees in real estate.

# Engage stakeholders and the public with responsive communications

## COMMUNICATIONS STRATEGY

The Law Society is undertaking a comprehensive communications strategy to raise the public's awareness around access and help for legal issues; build understanding of the role of lawyers and paralegals; and how we serve the public within the justice system. This strategy, rolling out in 2017, will look at how we can enhance the profile of the Law Society and the professions across the diverse communities of Ontario.

## INDIGENOUS INITIATIVES

A key part of the Law Society's continued efforts to increase access to justice for Indigenous peoples in Ontario is the development of an Indigenous framework. A crucial component of this framework will be our response to the [Truth and Reconciliation Commission's Calls to Action](#).

We are honoured to be guided by our partnership with the [Indigenous Advisory Group](#), whose members include legal professionals and Elders from First Nation, Métis and Inuit communities. We have a number of new and ongoing Indigenous initiatives to support lawyers and paralegals in this area, and were especially pleased to launch Canada's first [Certified Specialization in Indigenous Legal Issues](#) in 2016.

There are now free [legal resources in First Nation languages](#) available from the Law Society. We worked in collaboration with Indigenous advisors to produce a quick reference legal guide and two fact sheets in Cree, Oji-Cree and

Northwestern Ojibwe, in addition to English and French. These resources provide information about Law Society services and sources of free and low-cost legal information and were created to support Indigenous people who are facing legal issues.

## Increase organizational effectiveness

### COMMITTEE MEMORANDA

As Treasurer, I am deeply committed to enhancing transparency and efficiency in the governance of the Law Society. To meet this goal, my first step was to issue public memoranda to each of [Convocation's standing committees](#) that outline the committee's mandate and how it fits within the Law Society's strategic priorities. This is key to improving Convocation's focus and accountability while bringing more transparency to our processes.

### GOVERNANCE TASK FORCE

At my request, Convocation established the [Governance Task Force](#) in 2016 to examine the Law Society's current governance structure. I look forward to reviewing the Task Force's recommendations on how we might improve our governance processes and achieve greater effectiveness and efficiency as a governing body.

## Prioritize life-long competence for lawyers and paralegals

### COACH AND ADVISOR NETWORK

I am extremely proud that we launched the [Coach and Advisor Network \(CAN\)](#) in November 2016. CAN provides short-term Advisors and longer-term Coaches to foster best practices throughout the professions. Participants increase their competence and confidence and Coaches and Advisors realize opportunities to learn and hone their own skills.

### DIALOGUE ON LICENSING

Following the 2016 review of the Pathways Pilot Project, Convocation announced a province-wide [Dialogue on Licensing](#), to take place across the province in early 2017 as the first phase of review. The goal is to formulate long-term recommendations for an appropriate, sustainable lawyer licensing system. We invite you to join the dialogue and provide your input around four topics: The Need for Change; Market Dynamics and the Lawyer Profession; Licensing Examinations: Assessment of Entry-level Competence; and Transitional Training.

## Enhance access to justice across Ontario

### THE ACTION GROUP ON ACCESS TO JUSTICE

The [Action Group on Access to Justice](#) (TAG) was established by the Law Society in 2015, with funding from the Law Foundation of Ontario, to facilitate better coordination and collaboration across the justice sector. In 2016, TAG launched Ontario's inaugural [Access to Justice Week](#). The week's events focused on key access to justice issues including technology, public legal education and child welfare. TAG was also nominated, in 2016, for two legal access awards from the American Bar Association for its engagement work with rural and remote librarians.

### LEGAL AID WORKING GROUP

In 2016, I committed to elevating the Law Society's involvement in the legal aid discussion in Ontario by forming a Legal Aid Working Group. The Working Group is engaging with justice and community allies, exploring opportunities for robust and sustainable legal aid services for Ontarians. A well-funded Legal Aid system is critical in ensuring access to justice for low-income Ontarians.

## The path ahead

I encourage you to look through our Annual Report for 2016. It was an eventful year at the Law Society, and I am proud of the advances we made. They will provide a strong foundation for our continuing pursuit of excellence in 2017.

It is through the efforts of our benchers, Law Society staff, and the many people I've had the honour to work with, that we are able to advance our mandate. Looking ahead, I am confident in our ability to regulate the professions in the public interest and ensure lawyers and paralegals are well-equipped to serve the evolving legal needs of all Ontarians.

Thank you. Merci. Meegwetch.

# CEO's Message

I invite you to explore the Law Society's Annual Report to learn more about our mission to be a leading legal regulator committed to protecting the public interest. I am pleased with the significant advances we have made in several areas, summarized below.



**Robert G.W. Lapper, Q.C.,**  
*Chief Executive Officer*

## Organizational enhancements

The work of the Professional Regulation (PR) Division focusses on the protection of the public interest, through the resolution and investigation of complaints about Ontario's lawyers and paralegals conduct, competence and capacity.

Throughout the year, steps were taken to streamline processes and increase efficiencies within the PR Division, culminating with a new organizational structure implemented in February 2017.

The key changes include a larger Intake Resolution department, capable of more robust, early triage and resolution of complaints; a merger of the Complaints Resolution and Investigations departments; the creation of new multi-functional Enforcement teams; and the creation of a Technology and Evidence Control department to enhance our ability to receive, produce, manage, and control electronic data.

The Law Society is also working to improve the process by which Law Society policies are developed, approved and communicated.



## Pursuing excellence

As a leading regulator, we seek to be a role model for our licensees and other organizations.

For the 11th consecutive year, we were named one of [Greater Toronto's Top Employers](#). I am proud that our efforts to create an inclusive, professional workplace have been recognized. As the CEO I have the privilege and the pleasure to work daily with a remarkable staff of highly skilled and engaged individuals.

To give us an accurate picture of who we are, the Law Society conducted a Diversity Census and Inclusion Survey with the Canadian Centre for Diversity and Inclusion. The majority of respondents feel included in the workplace, with a very strong representation of females, ethnic groups and persons with a disabilities.

We also conducted an Engagement and Enablement Survey. The survey focused on enablement as the key to encouraging people to perform at their best every day. Overall, the results showed that we have a committed, proud, positive workforce who feels that their efforts make a difference.

## Managing our financial resources

We are committed to the effective management of our financial resources.

After three years of unchanged annual fees for lawyers, and four years of unchanged fees for paralegals, we introduced an increase of \$50 for both. However, we were pleased to offer those who enrolled in the Law Society's Annual Pre-Authorized Payment Plan a discount equal to the annual fee increase.

I am confident that the budget set for 2017 ([View a PDF version of the 2017 budget](#)) will enable the Law Society to continue to advance our [key strategic priorities](#) laid out by our governing body, while supporting our important regulatory programs in the public interest.

## Improving transparency through technology

We are progressing with our implementation of the three year technology plan, which includes a redesign of our website, an overhaul of the Licensee Database, and a number of enhancements to the Licensee Portal and the LSUC Store.

Redesign of the Law Society's website is currently underway to better engage the public, professions and stakeholders and to build a strategic communications tool that effectively supports the organization's core work.

The Licensee Database redesign initiative will focus on the functionality of our processes and systems that contain licensee data. The goals are to improve staff efficiency through access to one central system, to allow licensees a range of self-service options, and to improve access to justice via our public directories.

The Licensee Portal has a new and more consistent look and feel with improved functionality in several areas. We also launched the [LSUC Store](#) in May, providing members with greater functionality and convenience through a dedicated e-Commerce platform.

## French Language Initiatives

The Law Society continued to advance its commitment to provide communications and services in the French language to licensing candidates, licensees and the public under the Law Society's [French Language Services Policy](#) and by-laws. It also continued its collaborative work with the French Language Services Commissioner under the protocol established to address complaints related to French language services and to make appropriate systemic and proactive changes.

The Law Society has extended its Programme de pratique du droit (PPD), the French language equivalent of the Law Practice Program, for an additional two years with a commitment to engage in a comprehensive review of the licensing requirements.

## Looking ahead

As we begin 2017, I am extremely fortunate to work with talented staff dedicated to fulfilling our mandate. We are grateful to the many legal organizations and legal community partners with whom we engage and whose input is so valuable. I would also like to acknowledge and thank our Benchers in Convocation and our new Treasurer, Paul Schabas. Under their leadership, I am confident that the Law Society will continue to meet the obligation to regulate the professions in the public interest in an increasingly dynamic legal landscape.

# Strategic Plan 2015-19

## Our Mandate

The Law Society governs the legal professions in the public interest by ensuring that the people of Ontario are served by lawyers and paralegals who meet high standards of learning, competence and professional conduct.

In fulfilling its regulatory mandate, the Law Society observes principles that encompass a duty to protect the public interest, to maintain and advance the cause of justice and the rule of law, to facilitate access to justice for the people of Ontario, and to act in a timely, open and efficient manner.

## Our Plan

After extensive strategic planning that engaged all benchers, we committed to a four-year strategic plan, building on the accomplishments of the previous four years, for the period 2015 to 2019.

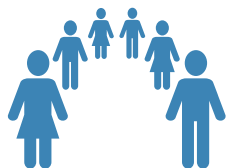
The four-year strategy ensures continuity in pursuing multi-year priorities and allows us greater efficiency in managing our financial resources to fulfil obligations that stretch beyond a single term.

Since 2015, we have pursued the five priorities laid out in the strategic plan – as well as several key initiatives to support them – a focus that will be maintained through 2019.

These priorities were established to strengthen our excellence in professional regulation and to continue to facilitate access to justice for Ontarians.

Learn more about our progress in the [Treasurer's Message](#).

## Our Priorities



### LEAD AS A PROFESSIONAL REGULATOR

- Enhance regulatory effectiveness to advance protection of the public
- Ensure appropriate considerations for mental health and equity are integrated into regulatory processes

We will review our processes and explore new regulatory approaches while continuing to manage risk. We will examine policies and procedures to ensure equitable treatment for every individual and group we interact with. We will also consider opportunities for additional mental health supports and resources.



### ENGAGE STAKEHOLDERS AND THE PUBLIC WITH RESPONSIVE COMMUNICATIONS

- Improve communication with lawyers and paralegals through greater accountability, transparency and collaboration
- Build a better understanding of the Law Society among the public through heightened engagement

We will review our existing practices and consult broadly to strengthen our relationship with lawyers, paralegals, the public and other stakeholders, and build greater awareness of the Law Society.



### INCREASE ORGANIZATIONAL EFFECTIVENESS

- Continue to enhance the public interest in the policy-making process
- Review governance methods and structures to ensure efficiency and effectiveness
- Enhance measurement and assessment of our services and programs

We will assess our governance structures, policy-making processes and programs and services, focusing on key objectives, costs and effectiveness.



### **PRIORITIZE LIFE-LONG COMPETENCE FOR LAWYERS AND PARALEGALS**

- Evaluate and enhance licensing standards and requirements
- Improve and increase practice supports
- Consider comprehensive mentoring services

We will consider education beyond traditional Continuing Professional Development (CPD) formats, and work with the professions to develop initiatives that institutionalize mentoring, advisory services and other types of support.



### **ENHANCE ACCESS TO JUSTICE ACROSS ONTARIO**

- Increase collaboration with access to justice partners and other stakeholders
- Develop and implement a more concrete access to justice action plan

We will extend our efforts to collaborate with justice partners and other stakeholders to identify and implement solutions to access to justice challenges.

[View a PDF version of the 2015-19 Strategic Plan](#)

# The Professions

## Convocation Membership



### ELECTED BENCHERS

Raj Anand, LSM  
Peter Beach  
Fred J. W. Bickford  
Jack Braithwaite  
Christopher D. Bredt  
Robert J. Burd  
John E. Callaghan  
Paul M. Cooper  
Dianne G. Corbiere  
Cathy Corsetti  
Janis P. Criger

Teresa Donnelly  
Ross F. Earnshaw  
Robert F. Evans, Q.C.  
Julian N. Falconer  
Rocco Galati  
Avvy Yao-Yao Go, O.Ont.  
Howard Goldblatt  
Joseph Groia  
Michelle Haigh  
Carol Hartman  
Jacqueline A. Horvat  
Brian Lawrie

Janet Leiper, C.S.  
Jeffrey Lem  
Michael M. Lerner  
Marian Lippa  
M. Virginia MacLean, Q.C., LSM  
William C. McDowell  
Susan T. McGrath  
Isfahan Merali  
Malcolm M. Mercer  
Barbara J. Murchie  
Sandra Y. Nishikawa  
Gina Papageorgiou

Susan Richer  
Jonathan M. Rosenthal  
Raj Sharda  
Andrew Spurgeon  
Joanne St. Lewis  
Sidney H. Troister, LSM  
Jerry B. Udell  
M. Anne Vespry  
Tanya Walker  
Peter C. Wardle

#### APPOINTED BENCHERS

Marion Boyd  
Gisèle Chrétien  
Suzanne Clément  
Seymour Epstein, P.Eng.  
Jan Richardson  
Gerald Sheff  
Baljit Sikand  
Catherine Strosberg

#### EX-OFFICIO BENCHERS

The Hon. Yasir Naqvi, MPP  
Bob Aaron  
The Hon. Robert P. Armstrong, Q.C.  
Larry Banack  
Christopher Bentley  
Michael J. Bryant  
Paul Copeland, C.M., LSM  
Abraham Feinstein, Q.C., LSM  
The Hon. Lee K. Ferrier, Q.C.  
Neil Finkelstein  
Patrick Garret Furlong, Q.C., LSM  
Gary Lloyd Gottlieb, Q.C.  
The Hon. John D. Ground, Q.C.  
Howard G. Hampton  
Charles A. Harnick, Q.C., LSM  
George D. Hunter  
Vern Krishna, C.M., Q.C., FRSC,

LSM  
Gavin MacKenzie  
Ronald D. Manes  
The Hon. R. Roy McMurtry, O.C.,  
O.Ont., Q.C., LSM  
W. A. Derry Millar, LSM  
Daniel J. Murphy, Q.C.  
Ross W. Murray, Q.C.  
Alan W. Pope, Q.C.  
Julian Porter, Q.C., LL.D.  
Judith M. Potter  
The Hon. Allan Rock, P.C., Q.C.  
Heather Joy Ross  
Clayton Ruby, C.M.  
Arthur R. A. Scace, C.M., Q.C.  
The Hon. James M. Spence, Q.C.,  
LL.D.  
Norman W. Sterling, Q.C.  
Harvey T. Strosberg, Q.C., LSM  
Gerald A. Swaye, Q.C., C.S.  
J. James Wardlaw, Q.C., LSM  
Bradley H. Wright  
Roger D. Yachetti, Q.C.  
David S. Young

#### EMERITUS TREASURERS

Thomas G. Conway  
Janet E. Minor  
Laurie H. Pawlitza, LL.D.

#### EMERITUS BENCHERS

Constance Backhouse, C.M., O.Ont.,  
LSM  
John A. Campion  
Alan D. Gold  
Alan G. Silverstein, C.S.  
Beth Symes, C.M., LSM

#### HONORARY BENCHER

His Royal Highness Prince Charles,  
The Prince of Wales

#### CONVOCATION COMMITTEE CHAIRS

Access to Justice— Howard Goldblatt  
Audit & Finance— Christopher Bredt  
Compensation Fund— Carol  
Hartman  
Equity and Indigenous Affairs—  
Dianne Corbiere  
Equity and Indigenous Affairs—  
Julian Falconer  
Government and Public Affairs—  
John Callaghan  
Inter-Jurisdictional Mobility—  
Michael Lerner  
Litigation— Jacqueline Horvat  
Paralegal Standing— Michelle Haigh  
Priority Planning— Paul B. Schabas  
Professional Development &  
Competence— Peter Wardle  
Professional Regulation— William  
McDowell  
Tribunal— Barbara Murchie

## Membership – 2016

The Honourable Yasir Naqvi, MPP  
was appointed Attorney General of  
Ontario on June 13, 2016.

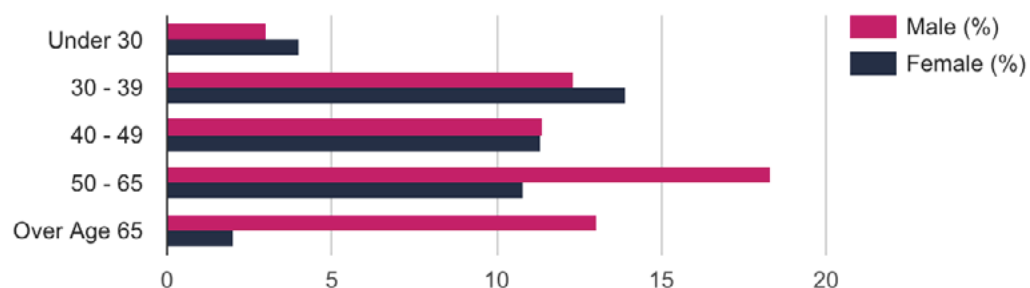
Tanya Walker was elected a bencher  
on August 9, 2016 as a result of the  
vacancy created by the election of  
Paul B. Schabas as Treasurer on June  
23, 2016.

## Membership Statistics

In 2016, we were the regulator of more than 50,000 lawyers and almost 8,200 paralegals.

For more information on our membership, see the [Key Trends](#) section.

### LAWYERS BY AGE AND GENDER



Notes:

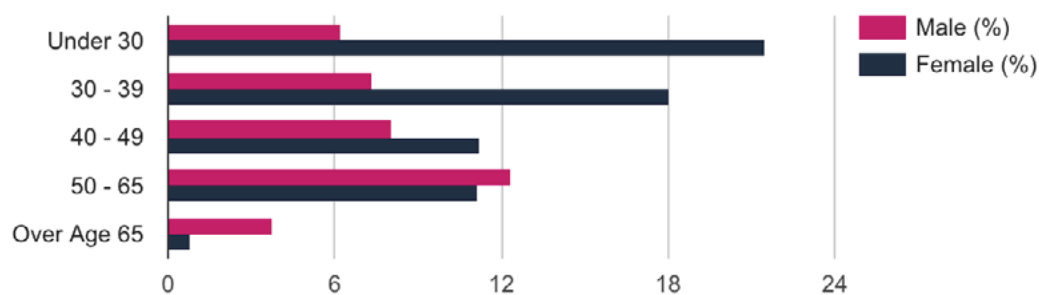
a) Data as of December 31, 2016

b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary lawyers, lawyers appointed to judicial office, or lawyers whose licences were suspended on December 31, 2016

### PARALEGALS BY AGE AND GENDER



Notes:

a) Data as of December 31, 2016

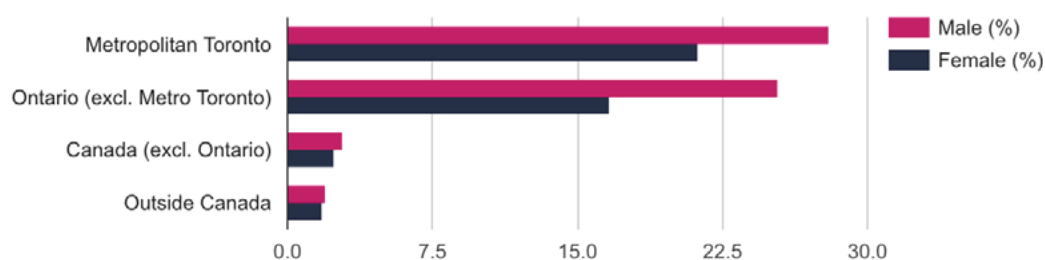
b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary paralegals, paralegals appointed to judicial office, or paralegals whose licences were suspended on December 31, 2016



## GEOGRAPHICAL DISTRIBUTION OF LAWYERS



Notes:

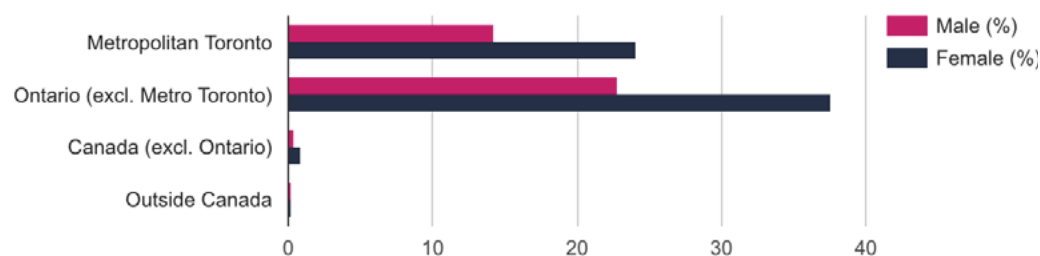
a) Data as of December 31, 2016

b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary lawyers, lawyers appointed to judicial office, or lawyers whose licences were suspended on December 31, 2016

## GEOGRAPHICAL DISTRIBUTION OF PARALEGALS



Notes:

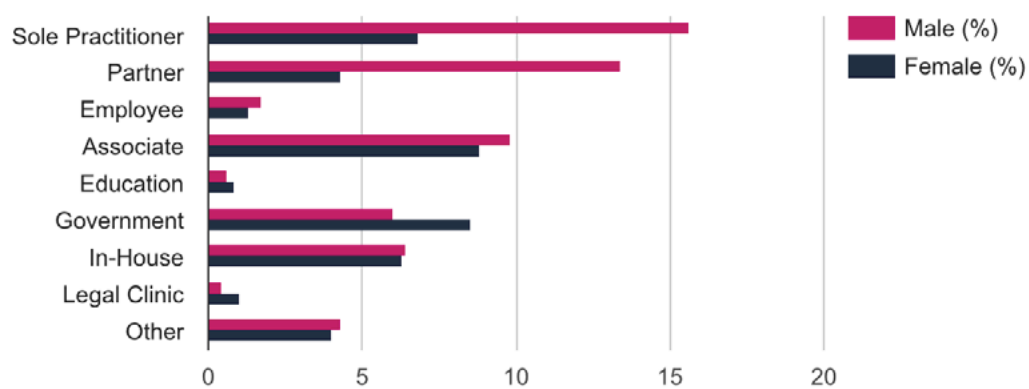
a) Data as of December 31, 2016

b) % is based on total

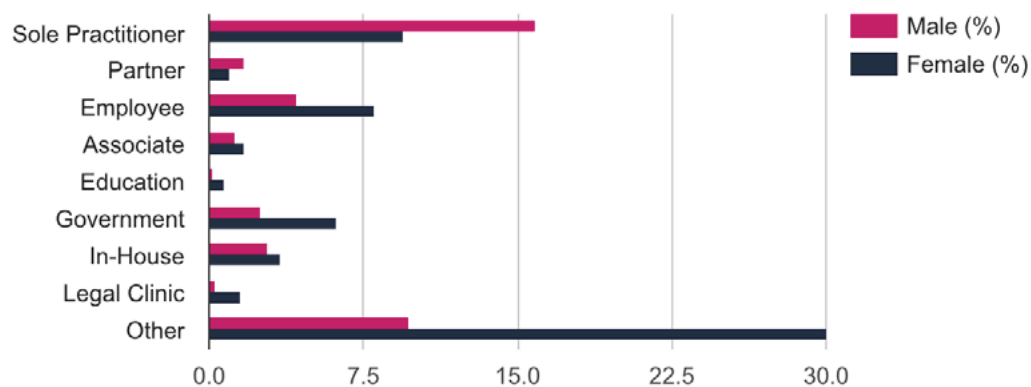
c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary paralegals, paralegals appointed to judicial office, or paralegals whose licences were suspended on December 31, 2016

## LAWYERS BY TYPE OF EMPLOYMENT



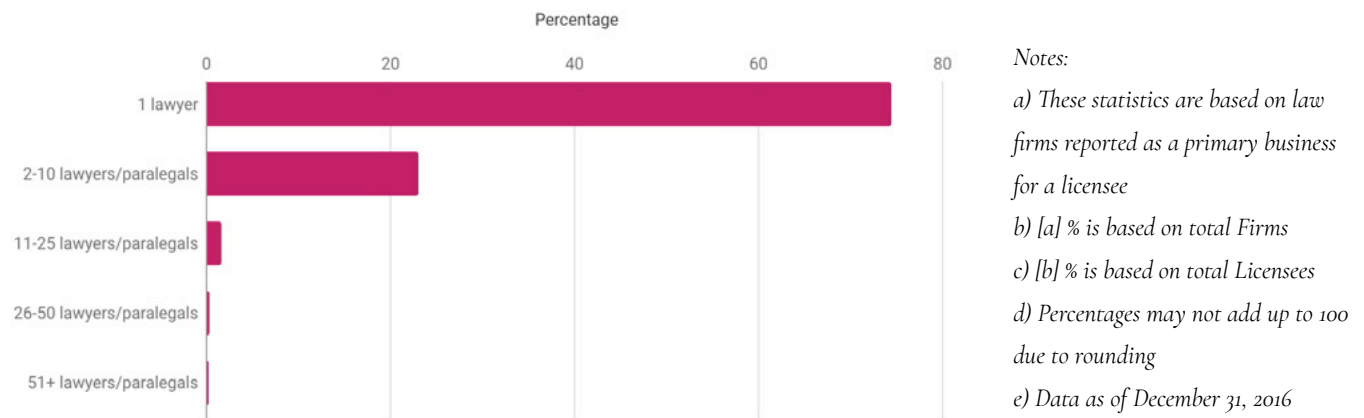
## PARALEGALS BY TYPE OF EMPLOYMENT



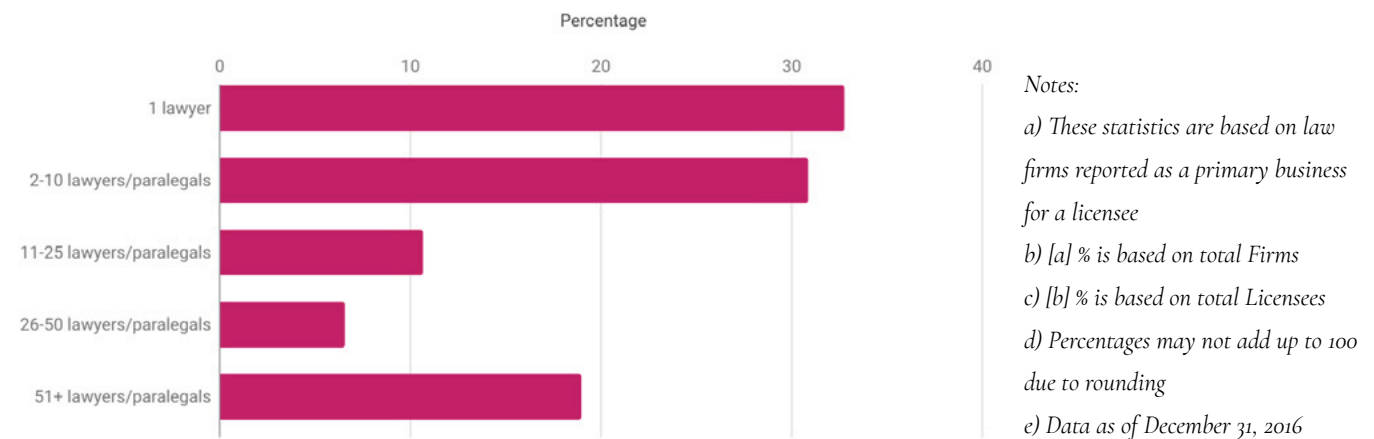
## Law Firms/Paralegal Firms

In 2016, there were 10,689 law firms and 1,757 paralegal firms reported as a primary business for a licensee in the province.

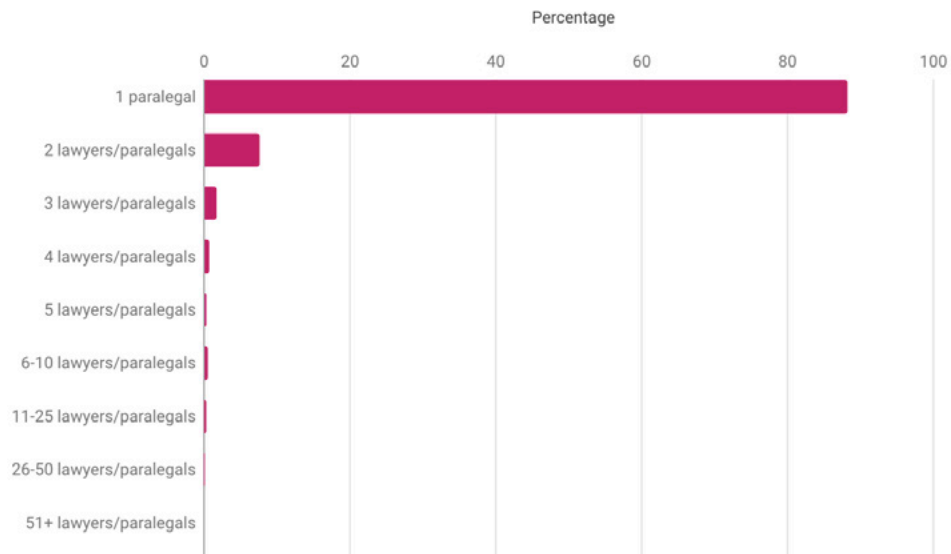
### LAW FIRMS BY SIZE (%)



### NUMBER OF LICENSEES BY SIZE OF LAW FIRM



## PARALEGAL FIRMS BY SIZE (%)



**Notes:**

a) These statistics are based on paralegal firms reported as a primary business for a licensee

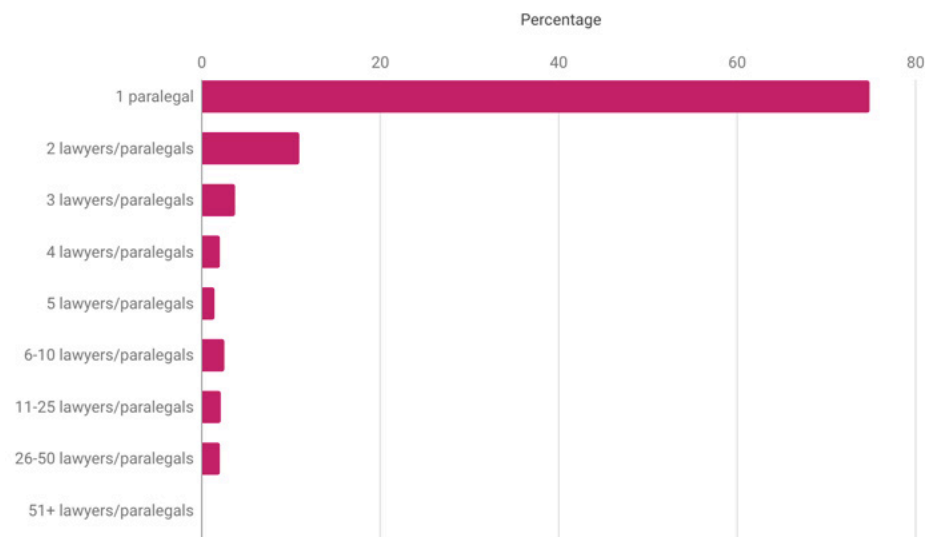
b) [a] % is based on total Firms

c) [b] % is based on total Licensees

d) Percentages may not add up to 100 due to rounding

e) Data as of December 31, 2016

## NUMBER OF LICENSEES BY SIZE OF FIRM



**Notes:**

a) These statistics are based on paralegal firms reported as a primary business for a licensee

b) [a] % is based on total Firms

c) [b] % is based on total Licensees

d) Percentages may not add up to 100 due to rounding

e) Data as of December 31, 2016

# Statistical Snapshot of Lawyers from the Lawyer Annual Report (LAR) 2015

[View the Snapshot Fact Sheet \(PDF\)](#)

The Law Society of Upper Canada has been collecting self-identification data in the Lawyer Annual Report since 2009. The structure of the survey at the time permitted the lawyer to opt to pass over the question and provide no response. This option has been modified so that, while a lawyer can still decline to self-identify, the person must now so indicate by expressly entering this response.

The response rate for each question is as follows:

Aboriginal	88.8%
Racialized	77.4%
Sexual orientation	81.9%
Francophone	90.4%
Able to provide legal services in French	84.7%
Disability	84.5%
Gender	100%

## Race and Aboriginal

REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION – RACIALIZED

Profession

18.6 %

Population

25.9 %

## REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION – ABORIGINAL

Profession

1.5 %

Population

2.3 %

## RACIALIZED & ABORIGINAL BY PERCENTAGE OF RESPONDENTS

Race	% of Respondents
First Nations	1
Inuk	0.01
Métis	0.5
Arab	0.8
Black (e.g., African-Canadian, African, Caribbean)	3.1
Chinese	3.3
East-Asian (e.g., Japanese, Korean)	1.3
Latin American, Hispanic	0.6
South Asian (e.g., Indo-Canadian, Indian Subcontinent)	6.2
South-East Asian	0.7
West Asian (e.g., Iranian, Afghan)	1.0
More than one Racialized Group	0.4
Racialized and White	1.2
White	80

## TYPE OF LICENCE BY RACIALIZATION (%)

Group	Sole Practice	Law Firm Partner	Law Firm Associate	Law Firm Employee	Legal Clinic	In House	Government	Education	Retired or Not Working	Other and New Licensees
First Nations and Inuk	25	8	12	3	3	8	22	3	5	11
Métis	23	7	19	5	1	4	23	1	5	12
Arab	20	11	24	6	3	10	11	0	9	7
Black	28	6	13	2	4	10	18	1	6	11
Chinese	18	8	23	2	2	17	12	0	5	12
East Asian	14	13	19	2	1	16	16	1	5	12
Latino	21	9	25	3	3	12	11	2	4	9
South Asian	27	8	18	3	2	12	11	2	5	11
Southeast Asian	27	10	20	3	1	10	12	1	5	11
West Asian	24	4	26	5	0	14	10	1	4	12
More than One Racialized Group	18	5	27	3	5	10	16	1	4	11
Racialized and White	11	8	22	3	3	14	18	1	6	13

## Gender

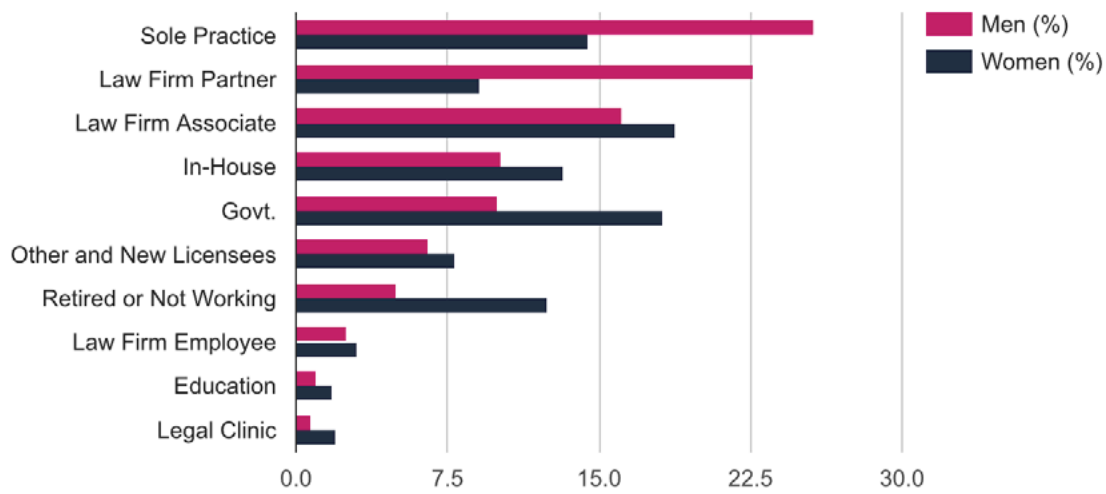
Women

43.1 %

Men

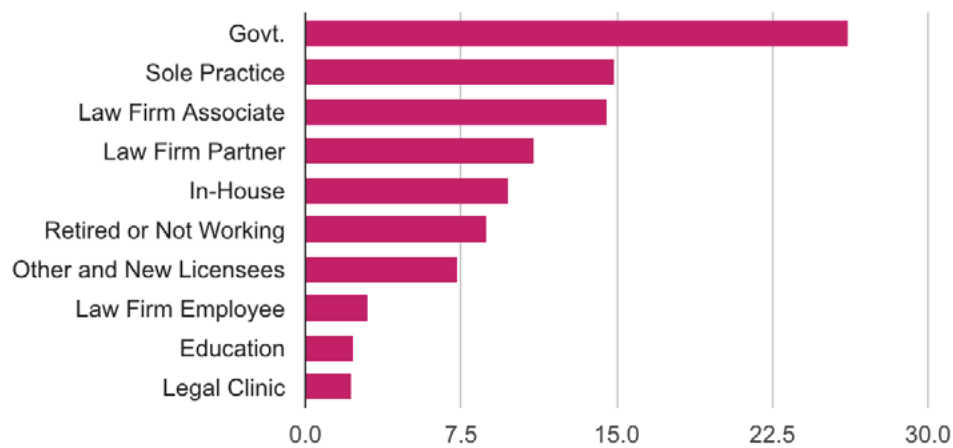
56.9 %

## TYPE OF LICENCE BY GENDER (%)



## Francophone

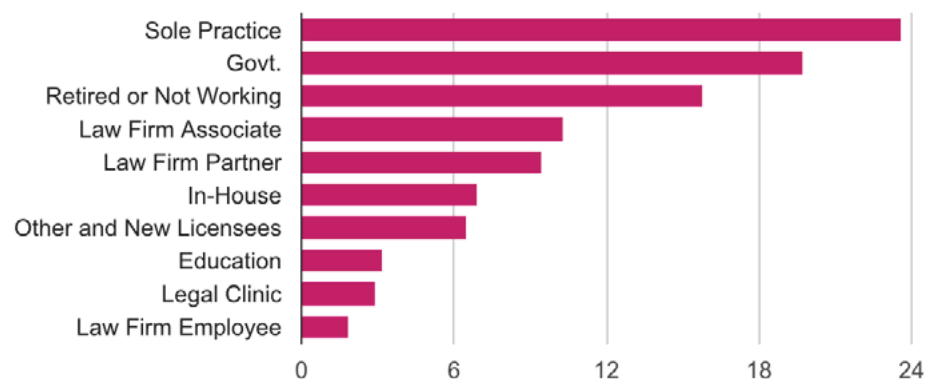
### TYPE OF LICENCE BY FRANCOPHONE IDENTITY AND ABILITY TO PROVIDE LEGAL ADVICE IN FRENCH (%)





## Disability

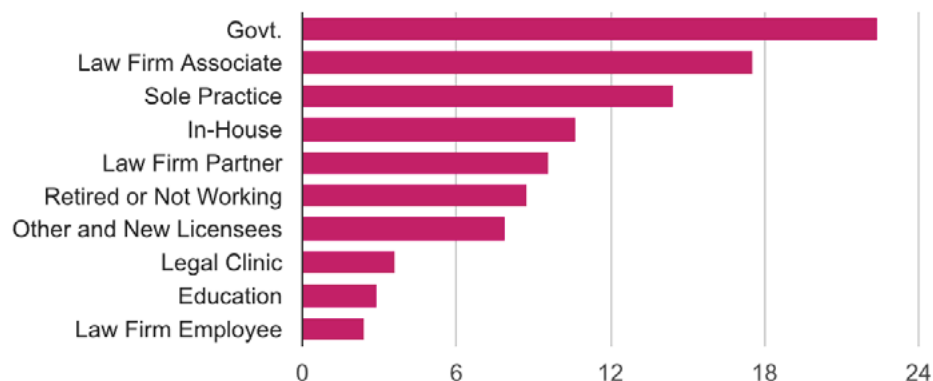
TYPE OF LICENCE BY PRESENCE OF A DISABILITY (%)



*Note: Compared to population estimates, the number of lawyers self-reporting disability is inexplicably low. Further sampling over time may have to be conducted.*

## Sexual Orientation

TYPE OF LICENCE BY LGBTQ (%)



## Full data

Download an [Excel spreadsheet](#) of the complete Statistical Snapshot of Lawyers from the Lawyer Annual Report (LAR) 2015, including the charts on this page and much more.

# Statistical Snapshot of Paralegals from the Paralegal Annual Report (PAR) 2015

[View the Snapshot Fact Sheet \(PDF\)](#)

The Law Society of Upper Canada has been collecting self-identification data in the Paralegal Annual Report since 2009. The structure of the survey at the time permitted the paralegal to opt to pass over the question and provide no response. This option has been modified so that, while a paralegal can still decline to self-identify, the person must now so indicate by expressly entering this response.

The response rate for each question is as follows:

Aboriginal	91.6%
Racialized	80.9%
Sexual orientation	85.8%
Francophone	91.8%
Able to provide legal services in French	82.7%
Disability	88.1%
Gender	100%

## Race and Aboriginal

REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION – RACIALIZED

Profession

35.5%

Population

25.9%

REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION – ABORIGINAL

Profession

1.7%

Population

2.3%

## RACIALIZED & ABORIGINAL BY PERCENTAGE OF RESPONDENTS

Race	% of Respondents
First Nations	0.93
Inuk	0.03
Métis	0.72
Arab	1.2
Black (e.g., African-Canadian, African, Caribbean)	7.2
Chinese	5.6
East-Asian (e.g., Japanese, Korean)	1.0
Latin American, Hispanic	4.0
South Asian (e.g., Indo-Canadian, Indian Subcontinent)	9.1
South-East Asian	3.0
West Asian (e.g., Iranian, Afghan)	2.6
More than one Racialized Group	0.7
Racialized and White	1.0
White	62.9

TYPE OF LICENCE BY RACIALIZATION (%)

Group	Sole Practice	Paralegal Firm Partner	Paralegal Firm Associate	Paralegal Firm Employee	Legal Clinic	In-House	Government	Education	Retired or Not Working	Other and New Licensees
First Nations and Inuk	26	2	0	7	7	4	9	0	20	26
Métis	47	0	6	3	3	6	9	0	16	9
Arab	28	0	2	8	2	5	5	0	23	29
Black	26	1	0	7	1	6	7	1	23	27
Chinese	29	2	0	13	1	2	4	1	22	26
East Asian	13	9	7	20	0	2	4	0	22	24
Latino	21	5	2	11	3	5	9	1	17	26
South Asian	29	3	2	8	1	2	5	0	24	27
Southeast Asian	21	1	3	10	0	5	2	1	26	29
West Asian	24	1	4	13	0	6	4	0	28	19
More than One Group	19	2	0	7	5	5	12	5	24	21
Racialized and White	16	0	5	12	2	0	12	0	23	30

## Gender

GENDER - TOTAL (%)

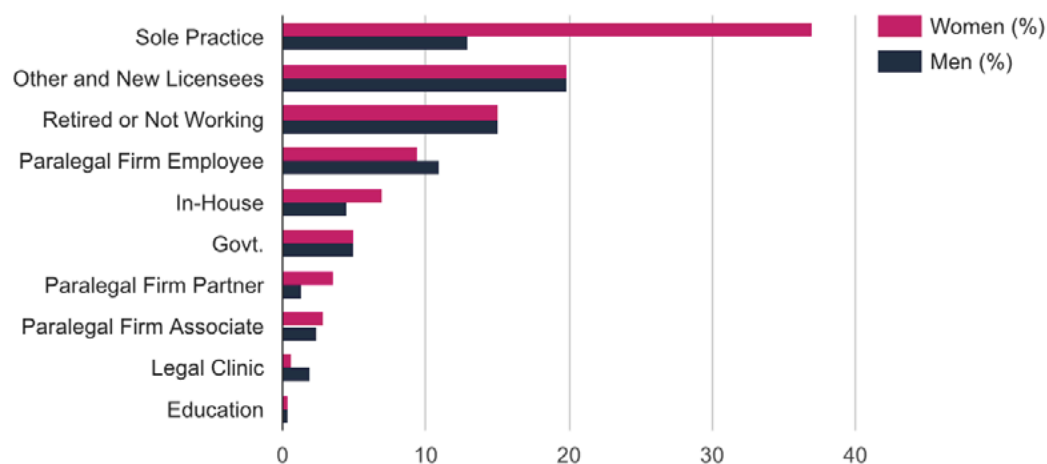
Women

62 %

Men

38 %

TYPE OF LICENCE BY GENDER



## Full data

Download an [Excel spreadsheet](#) of the complete Statistical Snapshot of Paralegals from the Paralegal Annual Report (PAR) 2015, including the charts on this page and much more.

# Key Trends

## Professional Regulation

2016 has been a year of transition in the Professional Regulation Division ("PRD"), highlighted by an extensive review of the PRD at the direction of the CEO and the recruitment of a new Executive Director for the PRD. As a result of both of these events, the PRD commenced a restructuring process in 2016, which includes both structural and process changes designed to increase efficiencies and the effectiveness of the regulatory process. The key changes can be summarized as:

- more robust, early triage and resolution carried out by a larger Intake & Resolution department
- merger of the Complaints Resolution and Investigations departments
- creation of new multi-functional Enforcement teams with different types of Investigators and Discipline Counsel working together in teams
- creation of a Technology & Evidence Control department to enhance the PRD's ability to receive, produce, manage and control electronic data

The new organizational structure came into effect in February 2017, but throughout 2016, steps were taken to streamline processes and increase efficiencies to permit us to more effectively regulate. These changes have already made an impact.

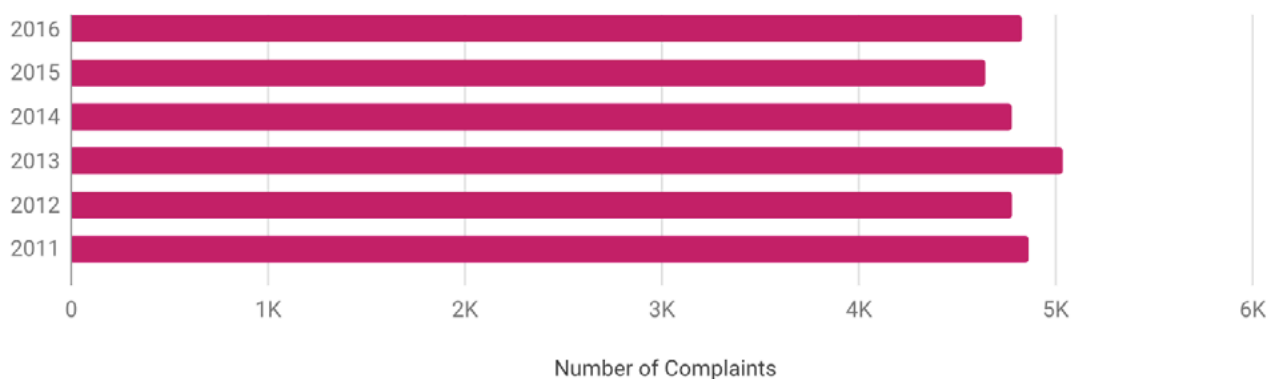
- The PRD initiated a record number of Notices of Application, motions for interlocutory suspension or restriction of a licensee's professional business and undertakings from licensees.
- The Intake department closed approximately 11% more complaints and transferred 24% fewer complaints than in 2015.
- With the assistance provided by Intake, investigating staff have been able to focus on reducing caseloads and the number of complaints closed through diversion or other staff action also increased from 2015.

## Complaints Received

In 2016, our Complaints Services department received 6,313 new complaints and re-opened 74, for a total of 6,387 complaints. Of those 4,833 complaints were referred to our Professional Regulation Division.

2016 marked the first increase in the number of new complaints received in PRD since 2013. The number of new complaints received in 2016 was 4.0% higher than the number received in 2015 and 1.1% higher than the number received in 2014. The 4,833 complaints received in PRD were as follows:

### PROFESSIONAL REGULATIONS COMPLAINTS RECEIVED



Subjects of the complaints	<p>80% of the complaints were against lawyers</p> <p>12% of the complaints were against paralegals</p> <p>The remaining complaints/cases involved non-licensees and lawyer and paralegal applicants.</p>
Complainants:	<p>69% of the complaints were brought by members of the public;</p> <p>13% of the complaints were brought by licensees; and</p> <p>18% of the complaints were internally raised (i.e. the complainant is the Law Society).</p>

These proportions are consistent with past years.

## THE NATURE OF COMPLAINTS RECEIVED IN THE PROFESSIONAL REGULATION DIVISION IN 2016 WAS SIMILAR TO THE NATURE OF COMPLAINTS RECEIVED IN THE PAST FEW YEARS:

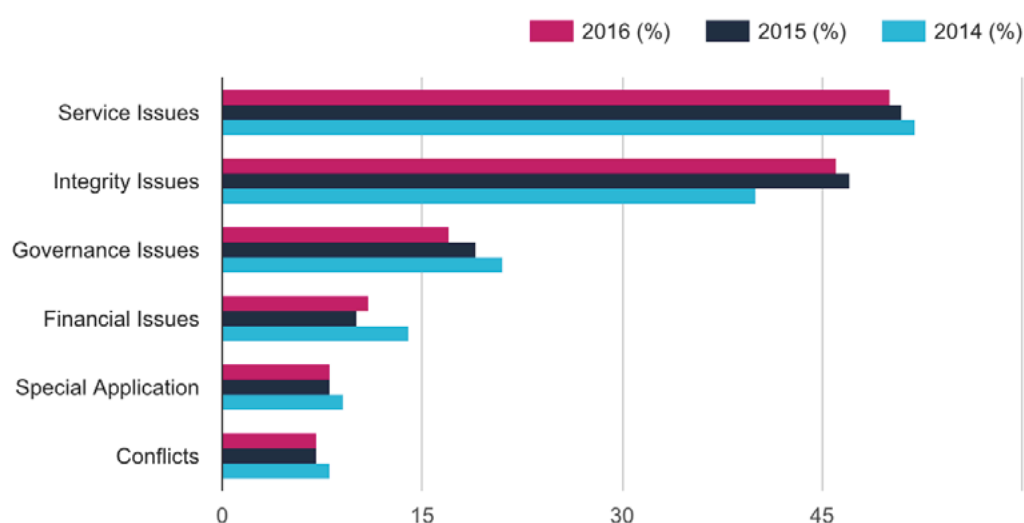
### TYPES OF ALLEGATIONS RAISED IN COMPLAINTS RECEIVED

Issue type	% of complaints received
Service Issues (examples: fail to account, fail to communicate, fail to serve client )	50%
Integrity Issues (examples: civility, counseling/behaving dishonourably)	46%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	17%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	11%
Special Applications (examples: capacity, good character)	8%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	7%

*Figures total more than 100% because some complaints raise more than one issue.*

All of the proportions are similar to those in previous years with the exception of financial issues. There has been a significant increase in the proportion of new complaints alleging financial issues from 2014 (40%) to 2016 (46%).

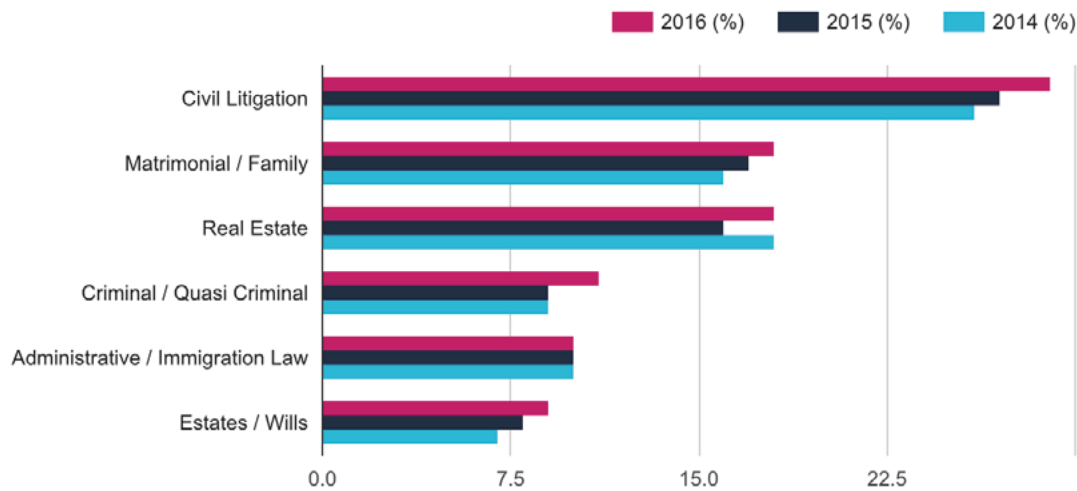
### TYPES OF ALLEGATIONS RAISED IN COMPLAINTS RECEIVED, BY % OF COMPLAINTS RECEIVED WITH ISSUE TYPE, BY YEAR



Civil litigation, real estate and matrimonial / family law continue to be the 3 areas of law receiving the most complaints.



## AREA OF LAW IDENTIFIED IN THE COMPLAINTS RECEIVED



- For complaints against lawyer and against paralegal licensees, sole practitioners continue to receive a significantly higher number and proportion of complaints while licensees practising in larger firms<sup>1</sup> continue to receive a significantly fewer number and proportion of complaints.
- Lawyers in practise for five years or less continue to receive significantly fewer complaints.

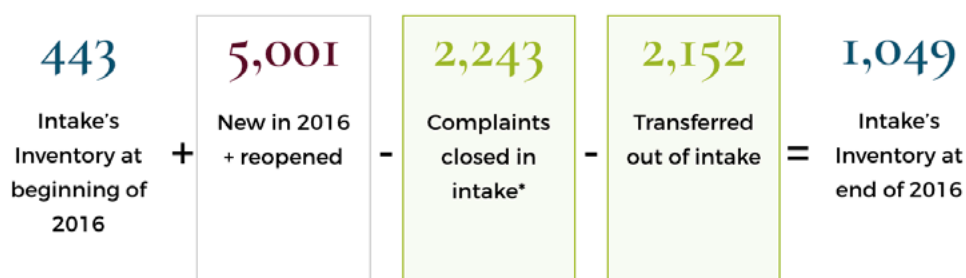
One significant departure from previous years relates to lawyers who have been in private practice for more than 30 years. In previous years, it was noted that this group received significantly more complaints than would be expected. In 2016, no significant difference was noted.

<sup>1</sup> Lawyers practising in firms with more than 26 licensees; paralegals practicing in firms with more than 6 licensees.

## Investigations

A major component of the reorganization of the PRD is more robust, early triage and resolution carried out by a larger Intake & Resolution department. In 2016, the Intake department began working towards this goal, reducing the number of complaints transferred to the investigating departments and closing more complaints than in 2015. Intake staff only obtained instructions on and transferred cases to the investigative departments which they assessed as high risk, serious allegations of misconduct. As a result, in 2016:

- 24% fewer complaints were transferred for investigation than were transferred in 2015
- 11% more complaints were closed than were closed in 2015
- This provided much needed assistance to investigative staff, allowing them to address their current, aging investigations.



\*How were the complaints closed?

<b>236</b>	closed – resolved
<b>577</b>	closed – no further regulatory action
<b>1,430</b>	closed – no jurisdiction, no response, withdrawn, previously decided or concurrent litigation

In 2016, 2,018 complaints were instructed for investigation<sup>2</sup>, including:

- 1,823 instructions for a conduct investigation;
- 33 instructions for a capacity investigation;
- 101 instructions for an investigation into unauthorized practice; and
- 61 instructions for a good character investigation

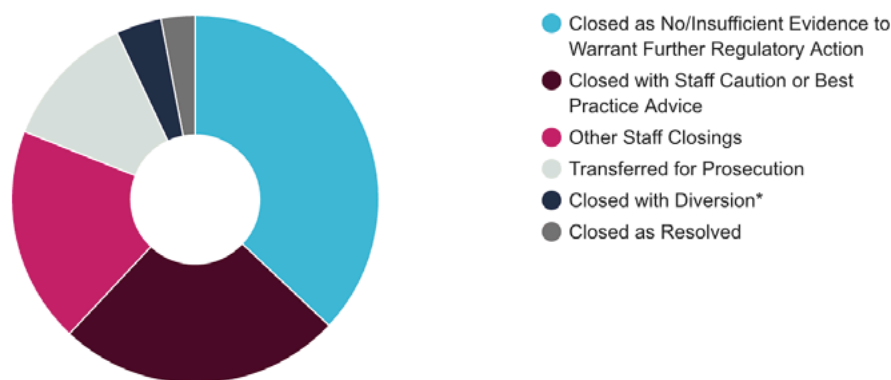
<sup>2</sup>Not all cases / complaints require formal instructions to initiate an investigation (e.g. where a licensee is seeking reinstatement; where a summary hearing or interlocutory suspension motion is being sought). Hence the number of instructions to investigate will be less than the number of cases transferred out of the Intake department.

In 2016, investigating staff reduced the inventory of investigations by 17%, from 2,493 complaints at the beginning of the year to 2,064 complaints at year end. This reduction was the result of:

- the reduced number of new complaints transferred from the Intake department, as discussed above, and
- the increase in investigations closed in 2016 (2,334) as compared to 2015 (2,204).

Below is the breakdown of reasons that complaints that were completed in 2016 following an investigation. There was no appreciable difference in the reason for the completion of investigations in the past 3 years.

#### REASONS COMPLAINTS WERE COMPLETED IN 2016, FOLLOWING AN INVESTIGATION



\* Regulatory Meeting, Invitation to Attend, Letter of Advice, practice / spot audit recommendation, undertaking

\*\* Includes discontinued complaints and complaints outside the jurisdiction of the Law Society

The number of new Mortgage Fraud and Unauthorized Practice (UAP) investigations continued to decrease in 2016.

### NEW MORTGAGE FRAUD AND UNAUTHORIZED PRACTICE (UAP) INVESTIGATIONS

	New investigations in 2016	Completed investigations in 2016	Inventory at the end of 2016
Mortgage Fraud	29 investigations involving 50 complaints (an average of 2.4 per month)	61 investigations involving 84 complaints	34 investigations involving 57 complaints (down from 66 investigations involving 91 complaints at the beginning of 2016)
UAP	101 complaints (a 35% decrease from 2014 (155) and a 33% decrease from 2015 (150))	106 complaints	99 complaints (a decrease of 12% from the inventory at the beginning of 2016)

### COMPLAINTS RESOLUTION COMMISSIONER

When the Law Society closes a case after an investigation, the complainant may request a review of that decision by the Complaints Resolution Commissioner.

- In the past few years, the number of requests for a review by the Commissioner has declined. The 192 requests received in 2016 was 7% fewer than the number of requests received in 2015 (207) and 20% fewer than the number received in 2014 (240).
- Of significance to the PRD is:
  - the noted decrease in requests received per closed investigations. The percent of cases closed in the PRD which were eligible for a review by the Commissioner for which a review was requested has also declined in the past three years, from 9.6% in 2014 to 9.4% in 2015 to 8.2% in 2016.
  - Of the 143 decisions rendered following a review by the Commissioner in 2016, only nine files (6%) were referred back to the PRD for further investigation and of those nine, the Commissioner was not satisfied that the decision to close was reasonable in seven files. (The other two files were referred back for further investigation on the basis of submissions made/evidence provided by the Complainant at the review meeting.) With respect to these seven files, the Executive Director of the PRD adopted the Commissioner's recommendation in five cases; and declined to adopt the Commissioner's recommendation in two cases.

## Discipline

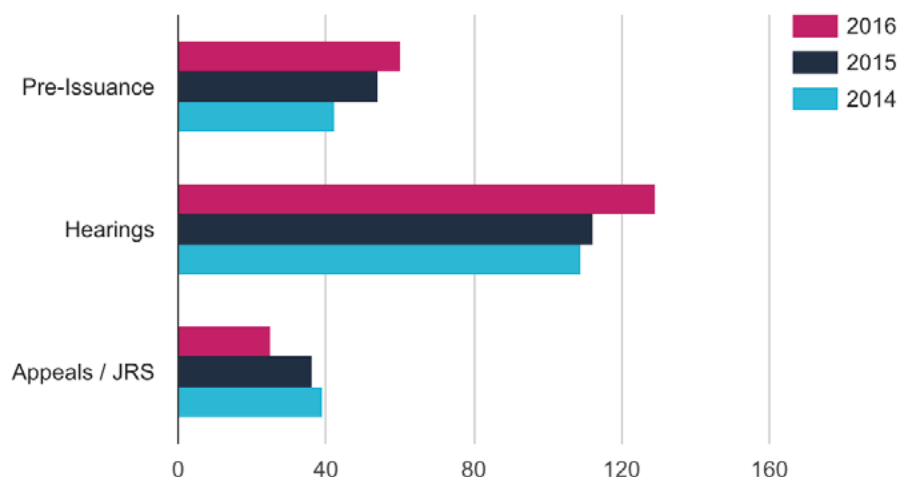
In 2016, 445 complaints / cases involving 168 licensees / applicants were transferred into the Discipline department for prosecution. The number of licensee/applicant matters transferred into the Discipline department in 2016 is higher than in any of the previous 5 years and is approximately 8.3% higher than the number received in 2015.<sup>3</sup>

The inventory of matters before the Law Society Tribunal - Hearing Division has steadily increased in the last 3 years. At the end of 2016, Discipline Counsel / Paralegals had an inventory of:

- 60 matters in the pre-hearing phase (i.e., pending authorization to proceed to a hearing in the Hearing Division).
- 129 matters before the Hearing Division, an increase of about 18% over the number of matters before the Hearing Division at the end of 2014 (109).
- 25 matters before the Law Society Tribunal – Appeal Division or the Courts.

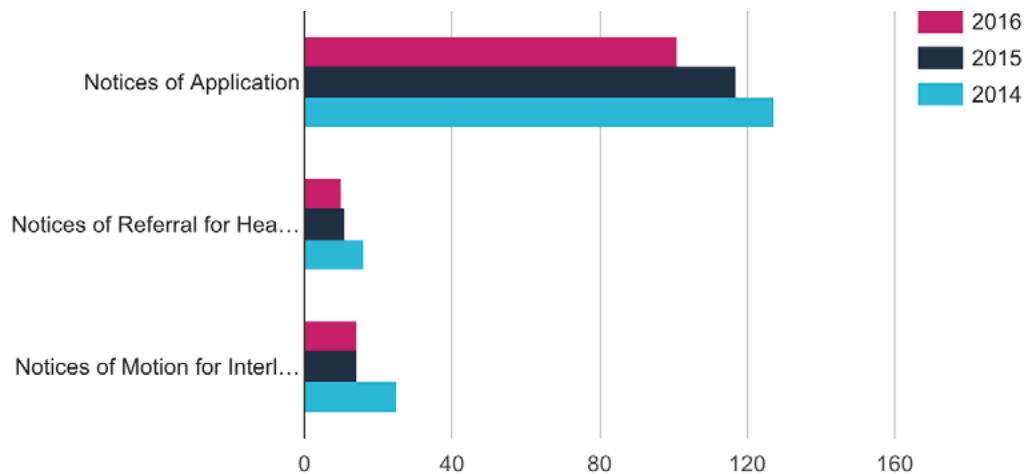
<sup>3</sup>Note that the large increase in the number of cases/complaints transferred into the department in 2016 is explained by the receipt of 1 lawyer matter involving just over 100 complaints.

### LAW SOCIETY TRIBUNAL: INVENTORY OF MATTERS, BY YEAR



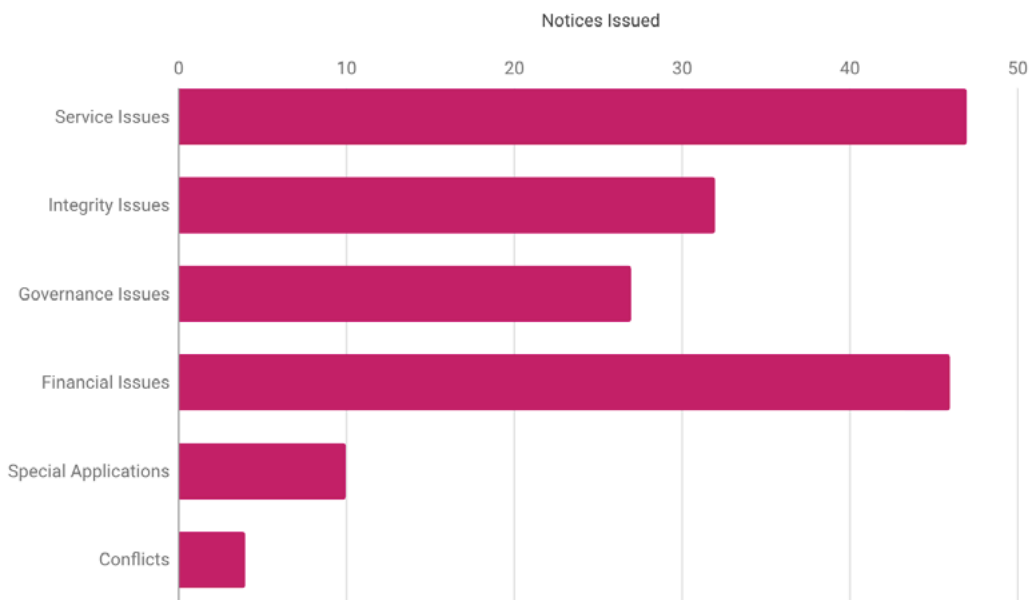
A record number of Notices were issued by the Discipline department in 2016:

#### NOTICES ISSUED BY THE DISCIPLINE DEPARTMENT IN 2016:



The following chart sets out the types of allegations raised in the Notices issued in 2016:

#### TYPES OF ALLEGATIONS RAISED IN THE NOTICES ISSUED IN 2016:



*Figures total more than 100% because some complaints/cases raise more than one issue.*

While the number of motions for interlocutory suspension / restriction orders has steadily increased in the past five years, the number significantly increased in 2016.

#### MOTIONS FOR INTERLOCUTORY SUSPENSION / RESTRICTION ORDERS

Interlocutory Suspension/Restriction Motions in 2016 (Authorized by PAC)			
Authorized By the Proceedings Authorization Committee	Total: 25	2	Seeking Restrictions
		23	Seeking Suspensions
Issued	Total: 25	2	Seeking Restrictions
		23	Seeking Suspensions
Completed	Total: 28	6	Restrictions granted
		18	Suspension granted
		1	Motions dismissed
		3	Motions Withdrawn/Abandoned

In 2016, final orders were rendered by the Hearing Division in 152 matters. The dispositions in these 152 completed matters are set out in the chart below:

#### FINAL ORDERS RENDERED BY THE HEARING DIVISION, BY YEAR

Matters Disposed of by the Hearing Division		Lawyers			Paralegals		
		2014	2015	2016	2014	2015	2016
Conduct	Total	101*	77	94	23	21	18
	Reprimand	15	16	18	2	0	2
	Suspension	51	30	39	13	16	10
	Permission to surrender	7	8	9	3	1	0
	Revocation	18	14	9	2	2	6
	Fine	0	0	0	1	0	0
	No penalty imposed	1	0	0	0	0	0
	Costs only	0	0	1	0	0	0
	Dismissed / stayed	4	4	5	0	2	0
	Withdrawn / abandoned	4	5	13	2	0	0
Interlocutory suspension / restriction		11	7	27	3	3	1
Capacity		3	5	1	0	0	1
Non-compliance		1*	1	0	0	0	0
Reinstatement/Terms Dispute		3	2	4	1	1	0
Licensing (including readmission)		2	4	1	4	7	5
TOTALS		120	96	127	31	32	25
2014		151					
2015		128					
2016		152					

\*There was one hearing in which a conduct application and a non-compliance application were heard together. Both are included in the totals for lawyer conduct and lawyer non-compliance categories. However, the matter is only counted once in the total numbers and the suspension is reflected in the conduct statistics.



Since 2001, the Law Society has completed 123 mortgage fraud prosecutions. The following chart displays the outcomes of mortgage fraud prosecutions in 2016 and since 2001:

#### OUTCOMES OF MORTGAGE FRAUD PROSECUTIONS IN 2016 AND SINCE 2001

Outcome	Results for Completions in 2016	Results since 2001
Lawyer's licence revoked (disbarred)	2	45
Lawyer permitted to surrender licence	2	20
Lawyer suspended	2	56
Other lesser penalty (e.g. reprimand, fine)	0	2
Totals	6	123

With respect to appeals and applications for judicial reviews with Discipline Counsel / Paralegals in 2016:

#### APPEALS AND APPLICATIONS FOR JUDICIAL REVIEWS WITH DISCIPLINE COUNSEL / PARALEGALS IN 2016:

	Law Society Tribunal – Appeal Division	Divisional Court	Court of Appeal for Ontario	Supreme Court of Canada
Matters commenced	12 appeals	4 appeals; 4 judicial reviews	5 motions for leave to appeal; 1 appeal	3 motions for leave to appeal
Matters completed	13 appeals	11 appeals; 2 judicial reviews	5 motions for leave to appeal; 2 motions for reviews of leave to appeal motions; 2 appeals	1 motion for leave to appeal
Matters active as at December 31, 2016	15 appeals	5 appeals; 2 judicial reviews	1 application for leave to appeal; 1 appeal	2 motions for leave to appeal

## Other Regulatory Activity in 2016

The **Monitoring & Enforcement Department** (renamed the Regulatory Compliance Department) is responsible for enforcement of orders from the Law Society Tribunals and the Courts as well as undertakings provided by licensees to the Law Society. Department activities include monitoring undertakings obtained at the completion of matters by other departments within the Division, ensuring that bankrupt lawyers comply with the Law Society's by-laws; enforcing judgments and mortgages obtained by or assigned to the Compensation Fund and responding to regulatory inquiries from the public.

Monitoring & Enforcement	2014	2015	2016
Costs Collected (including Discipline costs)	\$324,104	\$572,703	\$447,945
New Undertakings to be monitored	58	63	91
New Orders to be monitored	179	152	157
Regulatory inquiries received and addressed (number of licensees involved in inquiries)	5,379 (5,982 licensees)	5,079 (5,548 licensees)	4,726 (5,398 licensees)

The **Trustee Services Department** responds in situations where a licensee has abandoned his/her practice or has had his/her licence revoked or suspended, as well as situations where a sole practitioner has suffered serious health problems and is unable to continue in the practice of law. Through the use of the Law Society's trusteeship powers, staff carry out the Law Society's mandate to protect the public interest by taking possession of the practice, if necessary, thereby ensuring that client property and interests are protected and that ongoing client matters receive the necessary attention. The department also provides information and assistance to licensees and their personal representatives who are closing their practices. A significant part of the work of Trustee Services staff is responding to specific client-related requests such as the return of a file or responding to information concerning a professional business in trusteeship.

Trustee Services	2014	2015	2016
Trusteeship Orders Obtained from Court	21	23	16
Information Services (including Agreements & Directors)	36	40	51
Client files retrieved from licensee's professional business, indexed & preserved	17,559	21,205	17,051
Client Requests Completed (including trust distribution)	2,396	2,126	1,446

For more than 50 years, the Compensation Fund has compensated members of the public who have suffered a financial loss through the dishonesty of a lawyer or paralegal. Clients can apply to the Fund for reimbursement of lost money or property.

Pursuant to the Guidelines for Compensation Fund Claims, the Fund can be used to reimburse individuals up to maximum amounts specified in the guidelines. In 2016, the maximum amount allowed for losses involving lawyers was increased to \$500,000.00. For losses involving paralegals, the maximum is \$10,000.

Compensation Fund		2014	2015	2016
Claims Received:	against lawyers	223 claims	176 claims	154 claims
	against paralegals	26 claims	22 claims	16 claims
Claims Granted:	against lawyers	69 claims	109 claims	99 claims
	against paralegals	15 claims	11 claims	18 claims

## Licensing Statistics

As a prerequisite to entering the licensing process, lawyer candidates are required to graduate from an accredited JD/LLB program from a Canadian law school, or obtain a Certificate of Qualification from the National Committee on Accreditation. The lawyer licensing process comprises two separate examinations, an experiential training program, which may be completed through a 10-month articling term, or the eight-month Law Practice Program and a good character requirement.

Paralegal candidates are required to complete a diploma or certificate from an accredited paralegal program and a 120-hour field placement as a prerequisite to entering the licensing process. The paralegal licensing process consists of a licensing examination and a good character requirement.

2,188 lawyers were issued a licence in 2016. 994 paralegals were licensed.

### LAWYERS ISSUED A LICENCE IN 2016

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Male

1,040

Female

1,148

Total licensed 2,188

### PARALEGALS ISSUED A LICENCE IN 2016

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Male

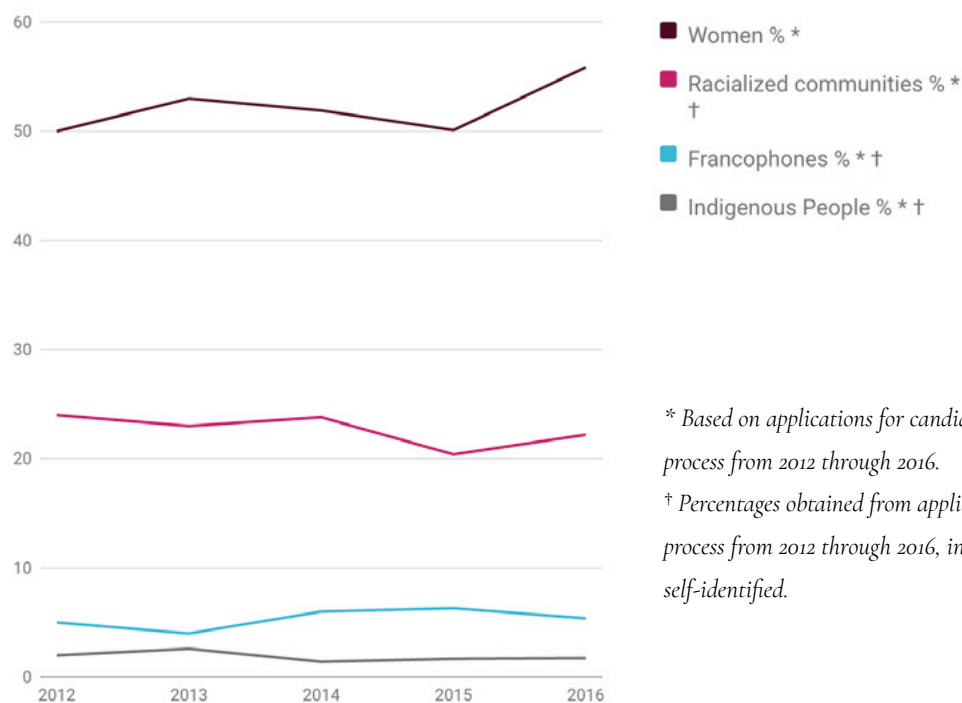
266

Female

728

Total licensed 994

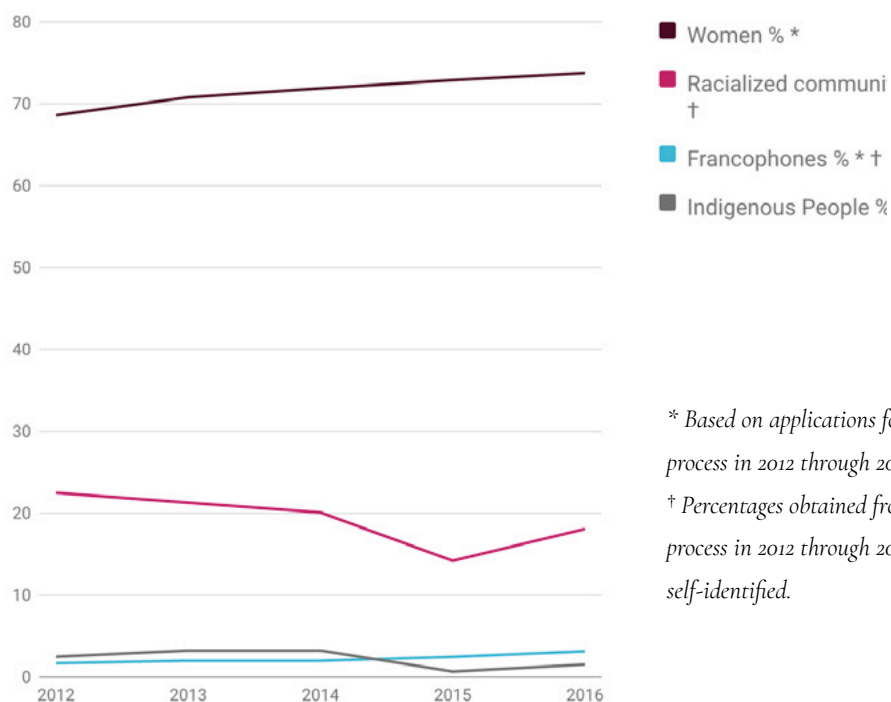
## LAWYER ENROLMENT IN THE LICENSING PROCESS BY EQUITY-SEEKING GROUP: 2012-16



\* Based on applications for candidates who entered the licensing process from 2012 through 2016.

† Percentages obtained from applications for the licensing process from 2012 through 2016, in which applicants voluntarily self-identified.

## PARALEGAL ENROLMENT IN THE LICENSING PROCESS BY EQUITY-SEEKING GROUP: 2012-16



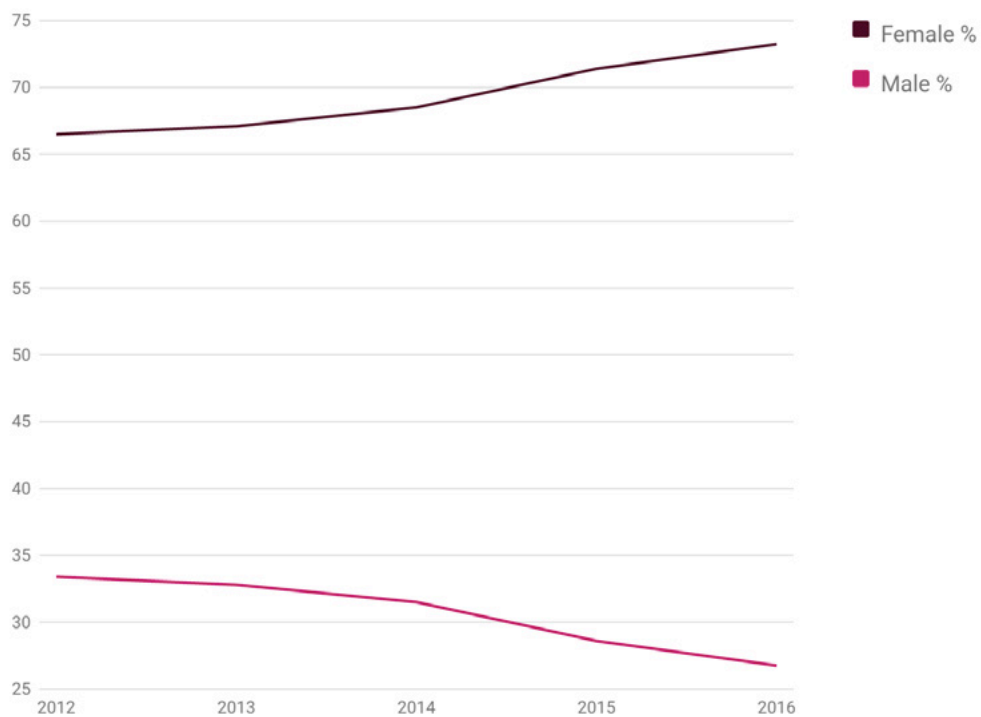
\* Based on applications for candidates who entered the licensing process in 2012 through 2016.

† Percentages obtained from applications for the licensing process in 2012 through 2016, in which applicants voluntarily self-identified.

## LAWYERS LICENSED, BY GENDER: 2012-2016



## PARALEGALS LICENSED, BY GENDER: 2012-16



## Law Society Referral Service

Hundreds of people use the Law Society Referral Service (LSRS) daily looking to be put in touch with a lawyer or paralegal to assist them with their legal matter. Members of LSRS agree to provide up to 30 minutes of free consultation to people referred to them by the service to provide legal information and discuss their options.

In 2016, LSRS received 61,071 requests for referrals, resulting in 43,294 referrals and the provision of 13,398 names where users did not qualify for a referral. As of December 31, 2016, there were 1,095 lawyers and 136 paralegals subscribed to the service.

### LSRS REFERRALS TO LAWYERS AND PARALEGALS

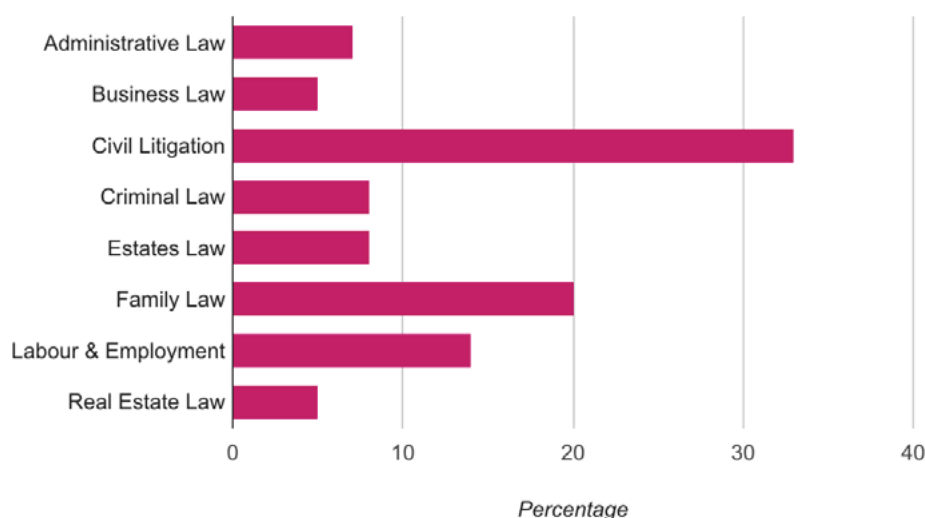
Lawyer

39,269

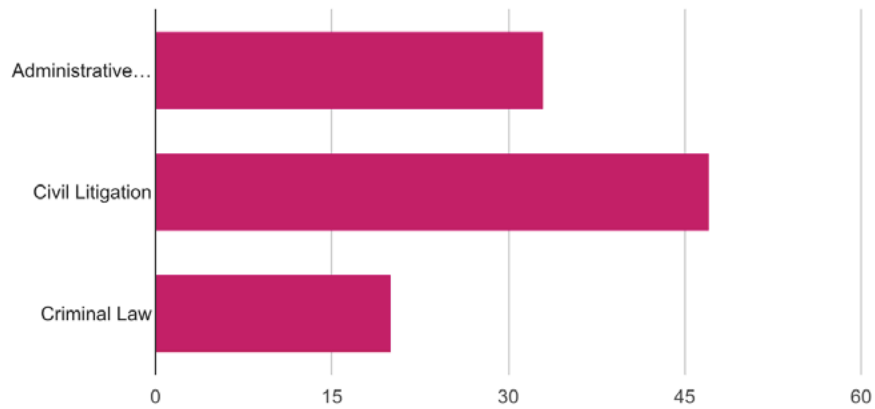
Paralegal

4,025

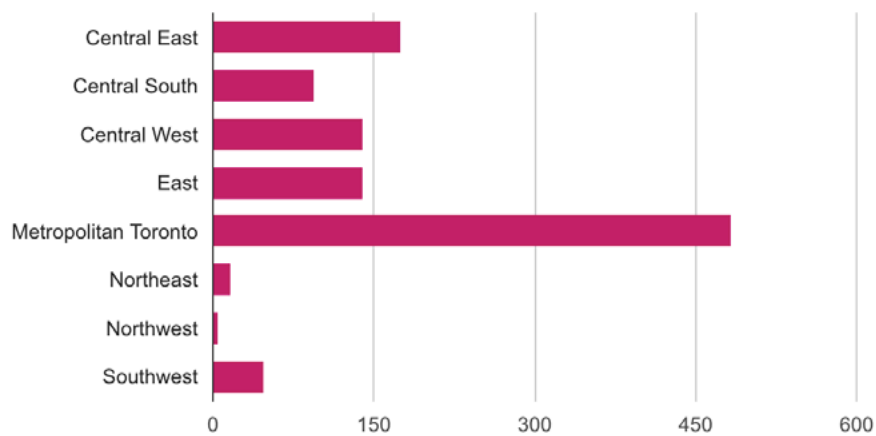
### LSRS REFERRALS BY AREA OF LAW: LAWYERS (%)



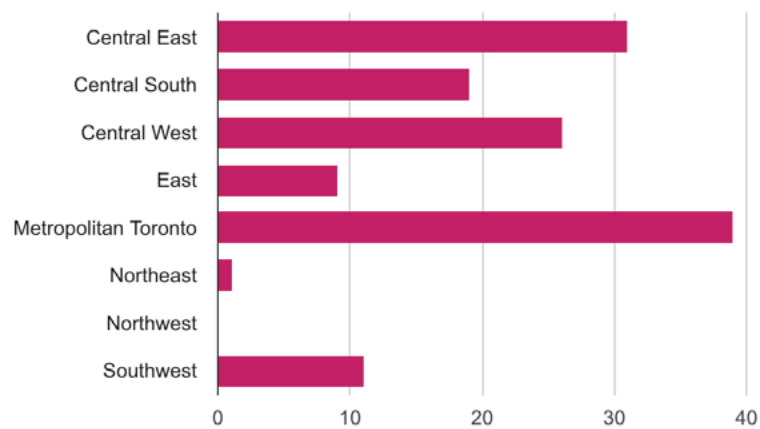
#### LSRS REFERRALS BY AREA OF LEGAL SERVICES: PARALEGALS



#### LSRS MEMBERS BY GEOGRAPHICAL REGION: LAWYERS



#### SRS MEMBERS BY GEOGRAPHICAL REGION: PARALEGALS





# Financial Statements

The Law Society of Upper Canada's ("the Society") audited financial statements present the operational results and financial position of the General Fund, the Compensation Fund, the Errors & Omissions Insurance Fund ("E&O Fund") and other restricted funds.

Separate financial statements have been prepared for the Society's subsidiaries: [Lawyers' Professional Indemnity Company](#) ("LawPRO") and [LibraryCo Inc.](#) ("LibraryCo").

The annual financial statements were approved by Convocation on April 27, 2017, and show the Society continues to maintain a strong financial position.

## Summary of Financial Performance

The lawyer and paralegal General Funds, which account for the Society's program delivery and administrative activities, are reporting a combined operating surplus of \$3.8 million, compared to \$2.3 million in 2015 and better than the budgeted deficit. With the exception of a nominal negative variance in Annual Fees, all the major revenue categories exceeded budget. All the major expense categories were either very close to, or were less than budget.

Total regulatory expenses have increased slightly to \$28.6 million (2015 - \$28.2 million) and are under budget. The processing of files through the Intake, Complaints, Investigations and Discipline departments comprised a significant part of regulatory resources. Complaint trends have fluctuated in a fairly narrow band in recent years although typical investigations are requiring increased resources.

Total PD&C expenses have increased to \$27.1 million (2015 - \$25.5 million) and were under budget. Staff were added for initiatives such as the expansion of paralegal licensing exams and servicing the large increase in requests for special accommodations during licensing exams. The new Coach and Advisor Network has been a significant focus of attention in the Practice Supports and Resources department.

The Society's restricted funds are reporting a combined deficit of \$2.7 million in 2016 primarily because:

- The Lawyer Compensation Fund experienced an adverse claims experience, resulting in a deficit of \$2.1 million;
- The Capital Allocation Fund reported a surplus of \$1.4 million;
- The Errors & Omissions Insurance Fund reported a surplus of \$1.2 million; and
- Amortization in the Invested in Capital and Intangible Assets Fund was \$3.1 million

For more information, view the full [2016 Financial Statements](#).

# Annual Report Data

## Membership Statistics

### LAWYERS BY AGE AND GENDER

Age Range	Total	Male	%-M	Female	%-F
Under 30	3,557	1,521	3.0%	2,036	4.0%
30 - 39	13,231	6,209	12.3%	7,022	13.9%
40 - 49	11,510	5,781	11.4%	5,729	11.3%
50 - 65	14,693	9,240	18.3%	5,453	10.8%
Over 65	7,597	6,589	13.0%	1,008	2.0%
Total	50,588	29,340	58.0%	21,248	42.0%

Notes:

a) Data as of December 31, 2016

b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary lawyers, lawyers appointed to judicial office, or lawyers whose licences were suspended on December 31, 2016

### PARALEGALS BY AGE AND GENDER

Age Range	Total	Male	%-M	Female	%-F
Under 30	2,252	505	6.2%	1,747	21.5%
30 - 39	2,058	596	7.3%	1,462	18.0%
40 - 49	1,560	649	8.0%	911	11.2%
50 - 65	1,904	999	12.3%	905	11.1%
Over Age 65	363	298	3.7%	65	0.8%
Total	8,137	3,047	37.4%	5,090	62.6%

Notes:

a) Data as of December 31, 2016

b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary paralegals, paralegals appointed to judicial office, or paralegals whose licences were suspended on December 31, 2016

## GEOGRAPHICAL DISTRIBUTION OF LAWYERS

Geographic Area	Total	Male	%-M	Female	%-F
Metropolitan Toronto	24,915	14,188	28.0%	10,727	21.2%
Ontario (excl. Metro Toronto)	21,177	12,778	25.3%	8,399	16.6%
Canada (excl. Ontario)	2,637	1,421	2.8%	1,216	2.4%
Outside Canada	1,859	953	1.9%	906	1.8%
<b>Total</b>	<b>50,588</b>	<b>29,340</b>	<b>58.0%</b>	<b>21,248</b>	<b>42.0%</b>

Notes:

a) Data as of December 31, 2016

b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary lawyers, lawyers appointed to judicial office, or lawyers whose licences were suspended on December 31, 2016

## GEOGRAPHICAL DISTRIBUTION OF PARALEGALS

Geographic Area	Total	Male	%-M	Female	%-F
Metropolitan Toronto	3,115	1,154	14.2%	1,961	24.1%
Ontario (excl. Metro Toronto)	4,897	1,846	22.7%	3,051	37.5%
Canada (excl. Ontario)	101	35	0.4%	66	0.8%
Outside Canada	24	12	0.1%	12	0.1%
<b>Total</b>	<b>8,137</b>	<b>3,047</b>	<b>37.4%</b>	<b>5,090</b>	<b>62.6%</b>

Notes:

a) Data as of December 31, 2016

b) % is based on total

c) Percentages may not add up to 100 due to rounding

d) These statistics do not include honorary paralegals, paralegals appointed to judicial office, or paralegals whose licences were suspended on December 31, 2016

## LAWYERS BY TYPE OF EMPLOYMENT

Type of Employment	Total	Male	%-M	Female	%-F
Sole Practitioner	8,789	6,133	15.6%	2,656	6.8%
Partner	6,969	5,273	13.4%	1,696	4.3%
Employee	1,184	656	1.7%	528	1.3%
Associate	7,335	3,860	9.8%	3,475	8.8%
Education	552	226	0.6%	326	0.8%
Government	5,679	2,346	6.0%	3,333	8.5%
In-House	4,959	2,496	6.4%	2,463	6.3%
Legal Clinic	549	170	0.4%	379	1.0%
Other	3,275	1,693	4.3%	1,582	4.0%
Total	39,291	22,853	58.2%	16,438	41.8%

## PARALEGALS BY TYPE OF EMPLOYMENT

Type of Employment	Total	Male	%-M	Female	%-F
Sole Practitioner	1,601	1,005	15.8%	596	9.4%
Partner	167	105	1.7%	62	1.0%
Employee	775	265	4.2%	510	8.0%
Associate	181	74	1.2%	107	1.7%
Education	52	9	0.1%	43	0.7%
Government	552	157	2.5%	395	6.2%
In-House	396	181	2.8%	215	3.4%
Legal Clinic	111	17	0.3%	94	1.5%
Other	2,521	616	9.7%	1,905	30.0%
Total	6,356	2,429	38.2%	3,927	61.8%

# Law Firms/Paralegal Firms

## LAW FIRMS BY SIZE, AND NUMBER OF LICENSEES BY SIZE OF LAW FIRM

Size Per Number of Licensees	Firms	%[a]	Licensees	%[b]
1 lawyer	7,966	74.5%	7,966	32.8%
2 - 10 lawyers/paralegals	2,464	23.1%	7,506	30.9%
11 - 25 lawyers/paralegals	180	1.7%	2,613	10.7%
26 - 50 lawyers/paralegals	47	0.4%	1,605	6.6%
51+ lawyers/paralegals	32	0.3%	4,629	19.0%
Total	10,689	100.0%	24,319	100.0%

Notes:

a) These statistics are based on law firms reported as a primary business for a licensee

b) [a] % is based on total Firms

c) [b] % is based on total Licensees

d) Percentages may not add up to 100 due to rounding

e) Data as of December 31, 2016

## PARALEGAL FIRMS BY SIZE, AND NUMBER OF LICENSEES BY SIZE OF PARALEGAL FIRM

Size Per Number of Licensees	Firms	%[a]	Licensees	%[b]
1 paralegal	1,552	88.3%	1,552	74.9%
2 lawyers/paralegals	136	7.7%	227	11.0%
3 lawyers/paralegals	31	1.8%	78	3.8%
4 lawyers/paralegals	14	0.8%	43	2.1%
5 lawyers/paralegals	7	0.4%	31	1.5%
6 - 10 lawyers/paralegals	11	0.6%	53	2.6%
11 - 25 lawyers/paralegals	5	0.3%	45	2.2%
26 - 50 lawyers/paralegals	1	0.1%	44	2.1%
51+ lawyers/paralegals	0	0.0%	0	0.0%
Total	1,757	100.0%	2,073	100.0%

Notes:

a) These statistics are based on paralegal firms reported as a primary business for a licensee

b) [a] % is based on total Firms

c) [b] % is based on total Licensees

d) Percentages may not add up to 100 due to rounding

e) Data as of December 31, 2016

# Snapshot: Lawyers

## STATISTICAL SNAPSHOT OF LAWYERS FROM THE LAWYER ANNUAL REPORT (LAR) 2015

Aboriginal	88.8%
Racialized	77.4%
Sexual orientation	82.9%
Francophone	90.4%
Able to provide legal services in French	84.7%
Disability	84.5%
Gender	100%

## RACE AND ABORIGINAL

### REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION - RACIALIZED

Racialized	18.6%	25.9%
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### REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION - ABORIGINAL

Aboriginal	1.5%	2.3%
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# RACIALIZED & ABORIGINAL BY PERCENTAGE OF RESPONDENTS

Race	% of Respondents
First Nations	1.0
Inuk	0.01
Metis	0.5
Arab	0.8
Black (e.g., African-Canadian, African, Caribbean)	3.1
Chinese	3.3
East-Asian (e.g., Japanese, Korean)	1.3
Latin American, Hispanic	0.6
South Asian (e.g., Indo-Canadian, Indian Subcontinent)	6.2
South-East Asian	0.7
West Asian (e.g., Iranian, Afghan)	01.0
More than one Racialized Group	0.4
Racialized and White	1.2
White	80

## TYPE OF LICENCE BY RACIALIZATION (%)

Group	Sole Practitioner	Partner	Associate	Employee	Legal Clinic	In-House	Government	Education	Retired or Not Working	Other and New Licensees
First Nations and Inuk	25%	8%	12%	3%	3%	8%	22%	3%	5%	11%
Metis	23%	7%	19%	5%	1%	4%	23%	1%	5%	12%
Arab	20%	11%	24%	6%	3%	10%	11%	0%	9%	7%
Black	28%	6%	13%	2%	4%	10%	18%	1%	6%	11%
Chinese	18%	8%	23%	2%	2%	17%	12%	0%	5%	12%
East Asian	14%	13%	19%	2%	1%	16%	16%	1%	5%	12%
Latino	21%	9%	25%	3%	3%	12%	11%	2%	4%	9%
South Asian	27%	8%	18%	3%	2%	12%	11%	2%	5%	11%
Southeast Asian	27%	10%	20%	3%	1%	10%	12%	1%	5%	11%
West Asian	24%	4%	26%	5%	0%	14%	10%	1%	4%	12%
More than One Racialized Group	18%	5%	27%	3%	5%	10%	16%	1%	4%	11%
Racialized and White	11%	8%	22%	3%	3%	14%	18%	1%	6%	13%

## GENDER

Gender	Total
Women	43.1%
Men	56.9%



## TYPE OF LICENCE (%)

Type of Licence	Women	Men	Francophone Identity and Ability to Provide Legal Advice in French	Presence of a Disability	LGBTQ
Sole Practitioner	14.4%	25.6%	14.9%	23.6%	14.4%
Law Firm Partner	9.1%	22.6%	11.0%	9.4%	9.6%
Law Firm Associate	18.7%	16.1%	14.5%	10.3%	17.5%
Law Firm Employee	3.0%	2.5%	3.0%	1.8%	2.4%
Legal Clinic	1.9%	0.7%	2.2%	2.9%	3.6%
In-House	13.2%	10.1%	9.8%	6.9%	10.6%
Government	18.1%	9.9%	26.1%	19.7%	22.4%
Education	1.8%	1%	2.3%	3.2%	2.9%
Retired or Not Working	12.4%	4.9%	8.7%	15.8%	8.7%
Other and New Licensees	7.8%	6.5%	7.3%	6.5%	7.9%

## Snapshot: Paralegals

### STATISTICAL SNAPSHOT OF PARALEGALS FROM THE PARALEGAL ANNUAL REPORT (PAR) 2015

Aboriginal	91.6%
Racialized	80.9%
Sexual orientation	85.8%
Francophone	91.8%
Able to provide legal services in French	82.7%
Disability	88.1%
Gender	100%

## RACE AND ABORIGINAL

### REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION - RACIALIZED

Racialized	Profession	Population
Racialized	35.5%	25.9%

### REPRESENTATION IN PROFESSION VS. REPRESENTATION IN ONTARIO POPULATION - ABORIGINAL

Aboriginal	Profession	Population
Aboriginal	1.7%	2.3%

### RACIALIZED & ABORIGINAL BY PERCENTAGE OF RESPONDENTS

Race	% of Respondents
First Nations	0.93%
Inuk	0.03%
Metis	0.72%
Arab	1.2%
Black (e.g., African-Canadian, African, Caribbean)	7.2%
Chinese	5.6%
East-Asian (e.g., Japanese, Korean)	1.0%
Latin American, Hispanic	4.0%
South Asian (e.g., Indo-Canadian, Indian Subcontinent)	9.1%
Southeast Asian	3.0%
West Asian (e.g., Iranian, Afghan)	2.6%
More than one Racialized Group	0.7%
Racialized and White	1.0%
White	62.9%

## TYPE OF LICENCE BY RACIALIZATION (%)

Group	Sole Practitioner	Partner	Associate	Employee	Legal Clinic	In-House	Government	Education	Retired or Not Working	Other and New Licensees
First Nations and Inuk	26%	2%	0%	7%	7%	4%	9%	0%	20%	26%
Metis	47%	0%	6%	3%	3%	6%	9%	0%	16%	9%
Arab	28%	0%	2%	8%	2%	5%	5%	0%	23%	29%
Black	26%	1%	0%	7%	1%	6%	7%	1%	23%	27%
Chinese	29%	2%	0%	13%	1%	2%	4%	1%	22%	26%
East Asian	13%	9	7%	20%	0%	2%	4%	0%	22%	24%
Latino	21%	5%	2%	11%	3%	5%	9%	1%	17%	26%
South Asian	21%	3%	2%	8%	1%	2%	5%	0%	24%	27%
Southeast Asian	21%	1%	3%	10%	0%	5%	2%	1%	26%	29%
West Asian	24%	1%	4%	13%	0%	6%	4%	0%	28%	19%
More than One Racialized Group	19%	2%	0%	7%	5%	5%	12%	5%	24%	21%
Racialized and White	16%	0%	5%	12%	2%	0%	12%	0%	23%	30%

## GENDER

Gender	Total
Women	62%
Men	38%

## TYPE OF LICENCE BY GENDER (%)

Type of Licence	Women	Men
Sole Practitioner	36.9%	12.9%
Law Firm Partner	3.5%	1.3%
Law Firm Associate	2.8%	2.4%
Law Firm Employee	9.4%	10.9%
Legal Clinic	0.6%	1.9%
In-House	6.9%	4.5%
Government	4.9%	4.9%
Education	0.3%	0.3%
Retired or Not Working	15.0%	15%
Other and New Licensees	19.8%	19.8%

## Professional Regulation

## COMPLAINTS RECEIVED

Year	Number of Complaints
2016	4833
2015	4647
2014	4781
2013	5040
2012	4782
2011	4867

## TYPES OF ALLEGATIONS RAISED IN COMPLAINTS RECEIVED

Issue type	% of complaints received
Service Issues (examples: fail to account, fail to communicate, fail to serve client )	50%
Integrity Issues (examples: civility, counseling/behaving dishonourably)	46%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	17%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	11%
Special Applications (examples: capacity, good character)	8%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	7%

*Note: Figures total more than 100% because some complaints raise more than one issue.*

## TYPES OF ALLEGATIONS RAISED IN COMPLAINTS RECEIVED, BY % OF COMPLAINTS RECEIVED WITH ISSUE TYPE, BY YEAR

Issue type	2016	2015	2014
Service Issues (examples: fail to account, fail to communicate, fail to serve client )	50%	51%	52%
Integrity Issues (examples: civility, counseling/behaving dishonourably)	46%	47%	40%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	17%	18%	21%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	11%	10%	14%
Special Applications (examples: capacity, good character)	8%	8%	9%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	7%	7%	8%

*Note: Figures total more than 100% because some complaints raise more than one issue.*

#### AREA OF LAW IDENTIFIED IN THE COMPLAINTS RECEIVED:

Area of Law	2016	2015	2014
Civil Litigation	29%	27%	26%
Matrimonial / Family	18%	17%	16%
Real Estate	18%	16%	18%
Criminal / Quasi Criminal	11%	9%	9%
Administrative / Immigration Law	10%	10%	10%
Estates / Wills	9%	8%	7%

#### REASONS COMPLAINTS WERE COMPLETED IN 2016, FOLLOWING AN INVESTIGATION

Reason	Percentage
Closed with Diversion*	4%
Closed with Staff Caution or Best Practice Advice	25%
Closed as Resolved	3%
Closed as No / Insufficient Evidence to Warrant Further Regulatory Action	37%
Other Staff Closings**	19%
Transferred for Prosecution	12%

\* Regulatory Meeting, Invitation to Attend, Letter of Advice, practice / spot audit recommendation, undertaking

\*\* Includes discontinued complaints and complaints outside the jurisdiction of the Law Society

#### NEW MORTGAGE FRAUD AND UNAUTHORIZED PRACTICE (UAP) INVESTIGATIONS

	New investigations in 2016	Completed investigations in 2016	Inventory at the end of 2016
Mortgage Fraud	29 investigations involving 50 complaints (an average of 2.4 per month)	61 investigations involving 84 complaints	34 investigations involving 57 complaints (down from 66 investigations involving 91 complaints at the beginning of 2016)
UAP	101 complaints (a 35% decrease from 2014 (155) and a 33% decrease from 2015 (150))	106 complaints	99 complaints (a decrease of 12% from the inventory at the beginning of 2016)

## LAW SOCIETY TRIBUNAL: INVENTORY OF MATTERS, BY YEAR

Type of Matter	2016	2015	2014
Pre-Issuance	60	54	42
Hearings	129	112	109
Appeals / JRS	25	36	39

## NOTICES ISSUED BY THE DISCIPLINE DEPARTMENT IN 2016:

Notices Issued	2014	2015	2016
Notices of Application (conduct & capacity)	101	117	127
Notices of Referral for Hearing (licensing [good character], reinstatement, terms dispute, restitution)	10	11	16
Notices of Motion for Interlocutory Suspension / Restriction	14	14	25
TOTAL	124	142	168

## TYPES OF ALLEGATIONS RAISED IN THE NOTICES ISSUED IN 2016:

Issue type	% of Notices Issued in 2016
Service Issues (examples: fail to account, fail to communicate, fail to serve client )	47%
Integrity Issues (examples: civility, counseling/behaving dishonourably)	32%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	27%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	46%
Special Applications (examples: capacity, good character)	10%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	4%

Figures total more than 100% because some complaints/cases raise more than one issue.

## FINAL ORDERS RENDERED BY THE HEARING DIVISION, BY YEAR

Matters Disposed of by the Hearing Division		Lawyers			Paralegals		
		2014	2015	2016	2014	2015	2016
Conduct	Total	101*	77	94	23	21	18
	Reprimand	15	16	18	2	0	2
	Suspension	51	30	39	13	16	10
	Permission to surrender	7	8	9	3	1	0
	Revocation	18	14	9	2	2	6
	Fine	0	0	0	1	0	0
	No penalty imposed	1	0	0	0	0	0
	Costs only	0	0	1	0	0	0
	Dismissed / stayed	4	4	5	0	2	0
	Withdrawn / abandoned	4	5	13	2	0	0
	Interlocutory suspension / restriction	11	7	27	3	3	1
Capacity		3	5	1	0	0	1
Non-compliance		1*	1	0	0	0	0
Reinstatement/Terms Dispute		3	2	4	1	1	0
Licensing (including readmission)		2	4	1	4	7	5
TOTALS		120	96	127	31	32	25
2014		151					
2015		128					
2016		152					

\*There was one hearing in which a conduct application and a non-compliance application were heard together. Both are included in the totals for lawyer conduct and lawyer non-compliance categories. However, the matter is only counted once in the total numbers and the suspension is reflected in the conduct statistics



## MOTIONS FOR INTERLOCUTORY SUSPENSION / RESTRICTION ORDERS

Interlocutory Suspension/Restriction Motions in 2016 (Authorized by PAC)		
Authorized By the Proceedings Authorization Committee	Total: 25	2 Seeking Restrictions 23 Seeking Suspensions
Issued	Total: 25	2 Seeking Restrictions 23 Seeking Suspensions
Completed	Total: 28	6 Restrictions granted 18 Suspensions granted 1 Motions dismissed 3 Motions Withdrawn/Abandoned

## OUTCOMES OF MORTGAGE FRAUD PROSECUTIONS IN 2016 AND SINCE 2001

Outcome	Results for Completions in 2016	Results since 2001
Lawyer's licence revoked (disbarred)	2	45
Lawyer permitted to surrender licence	2	20
Lawyer suspended	2	56
Other lesser penalty (e.g. reprimand, fine)	0	2
Totals	6	1

## APPEALS AND APPLICATIONS FOR JUDICIAL REVIEWS WITH DISCIPLINE COUNSEL / PARALEGALS IN 2016:

	Law Society Tribunal - Appeal Division	Divisional Court	Court of Appeal for Ontario	Supreme Court of Canada
Matters commenced	12 appeals	4 appeals; 4 judicial reviews	5 motions for leave to appeal; 1 appeal	3 motions for leave to appeal
Matters completed	13 appeals	11 appeals; 2 judicial reviews	5 motions for leave to appeal; 2 motions for reviews of leave to appeal motions 2 appeals	1 motion for leave to appeal
Matters active as at December 31, 2016	15 appeals	5 appeals; 2 judicial reviews	1 application for leave to appeal; 1 appeal	2 motions for leave to appeal

# Licensing Statistics

## LAWYERS ISSUED A LICENCE IN 2016

Gender	Number
Male	1040
Female	1148

Total licensed 2,188

## PARALEGALS ISSUED A LICENCE IN 2016

Gender	Number
Male	266
Female	728

Total licensed 994

## LAWYER ENROLMENT IN THE LICENSING PROCESS BY EQUITY-SEEKING GROUP: 2012-16

Year	Women % *	Racialized communities % * †	Francophones % * †	Indigenous People % * †
2012	50	24	15	2
2013	53	23	4	2.6
2014	51.9	23.8	6	1.4
2015	50.1	20.4	6.3	1.67
2016	55.86	22.2	5.39	1.74

\* Based on applications for candidates who entered the licensing process in 2012 through 2016.

† Percentages obtained from applications for the licensing process in 2012 through 2016, in which applicants voluntarily self-identified.

## PARALEGAL ENROLMENT IN THE LICENSING PROCESS BY EQUITY-SEEKING GROUP: 2012-16

Year	Women % *	Racialized communities % * †	Francophones % * †	Indigenous People % * †
2012	68.6	22.5	1.7	2.5
2013	70.8	21.3	2	3.25
2014	71.89	20.1	2	3.25
2015	72.9	14.2	2.48	0.69
2016	73.75	18.09	3.16	1.54

\* Based on applications for candidates who entered the licensing process in 2012 through 2016.

† Percentages obtained from applications for the licensing process in 2012 through 2016, in which applicants voluntarily self-identified.

## LAWYERS LICENSED, BY GENDER: 2012-2016

Year	Total licensed	Female	% of Total-F	Male	% of Total-M
2012	1,866	960	51%	906	49%
2013	1,994	989	49.6%	1,005	50.4%
2014	1,984	1,049	52.9%	935	47.1%
2015	2,201	1,129	51.3%	1,072	48.7%
2016	2,188	1,148	52.47%	1,040	47.53%

## PARALEGALS LICENSED, BY GENDER: 2012-16

Year	Total licensed	Female	% of Total-F	Male	% of Total-M
2012	1,049	698	66.5%	351	33.4%
2013	1,344	902	67.1%	442	32.8%
2014	1,154	790	68.5%	364	31.5%
2015	1,372	980	71.4%	392	28.6%
2016	994	728	73.24%	266	26.76%

# Law Society Referral Service

## LSRS REFERRALS TO LAWYERS AND PARALEGALS

Licensee Type	Referrals
Lawyer	39,269
Paralegal	4,025
Total	43,294

## LSRS REFERRALS BY AREA OF LAW: LAWYERS

Area of Law	Referrals
Administrative Law	7%
Business Law	5%
Civil Litigation	33%
Criminal Law	8%
Estates Law	8%
Family Law	20%
Labour & Employment	14%
Real Estate Law	5%

## LSRS REFERRALS BY AREA OF LEGAL SERVICES: PARALEGALS

Area of Legal Services	Referrals
Administrative Law	33%
Civil Litigation	47%
Criminal Law	20%

## LSRS MEMBERS BY GEOGRAPHICAL REGION: LAWYERS

Region	Lawyers as at Dec 31, 2016
Central East	174
Central South	94
Central West	139
East	139
Metropolitan Toronto	482
Northeast	16
Northwest	4
Southwest	47
Total	1,095

## LSRS MEMBERS BY GEOGRAPHICAL REGION: PARALEGALS

Region	Paralegals as at Dec 31, 2016
Central East	31
Central South	19
Central West	26
East	9
Metropolitan Toronto	39
Northeast	1
Northwest	0
Southwest	11
Total	136

## DISCIPLINE PROSECUTIONS AND APPEALS

Notices Issued	2014	2015	2016
Notices of Application (conduct & capacity)	101	117	127
Notices of Referral for Hearing (licensing [good character], reinstatement, terms dispute, restitution)	10	11	16
Notices of Motion for Interlocutory Suspension / Restriction	14	15	25
TOTAL	124	142	168

Issue type	% of Notices Issued in 2016
Service Issues (examples: fail to account, fail to communicate, fail to serve client )	47%
Integrity Issues (examples: civility, counseling/behaving dishonourably)	32%
Governance Issues (examples: fail to cooperate with Law Society, Unauthorized Practice)	27%
Financial Issues (examples: mishandling trust accounts, misappropriation, real estate/mortgage schemes)	46%
Special Applications (examples: capacity, good character)	10%
Conflicts (examples: licensee in position of conflict, business/financial relations with client)	4%

Figures total more than 100% because some complaints/cases raise more than one issue.